

The South Atlantic Quarterly

The Need of Medical Inspection in Southern Schools

JNO. A. FERRELL, S. B., M. D.

Secretary of the North Carolina State Medical Society

Medical inspection of schools has been marked by steady growth in the United States for the past twenty years. In certain foreign countries it has been in vogue for a much longer period, and is now conducted on a permanent and definite basis. Both here and abroad it was first adopted by the city schools. It was found indispensable to them and has been gradually adopted by the schools of towns and villages. Within the past three or four years it seems to have dawned on our people that if medical inspection is indispensable in city schools it must also be indispensable in rural schools. During this time twenty states have enacted laws providing for medical inspection. Ten of these have laws making it mandatory, and ten make its enforcement optional with the local authorities. The following is a list of the states having the laws:

MANDATORY LAWS

Colorado
District of Columbia
Louisiana
Massachusetts
Minnesota
New Jersey
Pennsylvania
Rhode Island
Utah
West Virginia

PERMISSIVE LAWS

California
Connecticut
Indiana
Maine
New York
North Dakota
Ohio
Vermont
Virginia
Washington

The authority for conducting medical inspection is vested in the school boards with three or four exceptions in which it is given to the health boards. In a few cases a very satisfactory

arrangement places the authority under the school board but provides that where it so desires it may delegate all or a part of its authority to the health board.

The laws provide for the inspection usually of teachers, pupils, and janitors, to be conducted by physicians. The teachers are taught to make the preliminary sight and hearing test, and in many cities trained nurses are employed to assist the physicians. The nurses visit the homes of pupils and occasionally administer treatment for simple maladies such as scabies (itch) and pediculosis (head lice). The Indiana law is distinctive in that it prescribes a penalty for its violation, and that of New Jersey in that it compels the parents to remedy the condition discovered.

The rearing of strong, healthy, educated citizens is one of the most sacred duties of the state. It is necessary in order that the state may perpetuate itself and grow stronger. The citizens must be taken in childhood and shielded from disease, freed from those defects which can be corrected, and taught how to keep healthy and strong. Where this is done the task of educating and training them is greatly simplified and cheapened, and the necessity for state institutions for unfortunates is greatly diminished.

The public schools afford the proper place for conducting medical inspection. They are a public trust. Where a parent delivers his child to their care, he has a right to insist that the child under the supervision of the school authorities shall be safe from harm, and shall be handed back in at least as good condition as he was when he entered school. If the parent does not claim this right, the child has a right to claim it. When a state for its own protection compels a child to go to school, it binds itself not to injure itself by injuring the child. If a child who is diseased, defective, or otherwise handicapped is forced to compete with a normal healthy child, he is overburdened and is subject to a more complete wrecking of his mental or physical well-being. If his ambition is stifled and he refuses to compete, he is likely to grow up to swell the ranks of the unemployed. "It will be found ultimately that it is a great deal cheaper to spend pence on children than pounds on paupers." Unless the bodies of children are attended to they may be distinctly injured by school work.

The South is rural, more or less sparsely settled, and slow to increase taxes for creating new offices. The schools are usually

small and widely separated, consequently the work of the medical inspector is much more difficult than in cities. The county in the South is the unit of government. The general affairs of the county such as roads, bridges, public buildings, the public health, etc., are directed by a Board of County Commissioners and the school affairs by a Board of Education.

The county commissioners now pay a county superintendent of health to care, as a rule, for those who—often perhaps through medical neglect—have become paupers or criminals, and to fight disease usually after it has become epidemic. It is the exception to find applied the principle of "A stitch in time save nine." The toll paid directly and indirectly as a result of such a system is appalling. The jails are filled; the county homes are crowded; the dependents are numerous; schools are poorly attended; many children are backward and require two years to complete what should be accomplished in one; frequently on account of epidemics schools are actually closed for weeks and months, quarantines are established, business suffers, and there is general stagnation.

The county cannot afford to tolerate longer this poor business policy. It must invest in the best talent obtainable, regardless of price, to protect it from such conditions. The "stitch in time" principle must be applied.

To take the entire amount needed from either the general county fund or from the school fund in a small county might cause some slight inconvenience, but, if both funds will support the inspector who is mutually the choice of the Board of Health and the Board of Education, the expense will not be heavy on the commissioners nor on the Board of Education. As a matter of fact, it should make little difference which tax money is used to provide for medical inspection, as it affords protection to all the people and may well be regarded as either regular health or regular school work.

It is the work of the health department in that it aids to prevent or eradicate disease, to protect health, and to teach our children *how to live* to be useful citizens. It is the work of the educational department in that it saves and preserves the child for the school, a healthy educable child, one whose heart and mind is receptive to training, one whose life will bless the state with the highest type of citizenship. Both departments in en-

deavoring to meet what may seem emergencies have been giving their efforts primarily to other lines of work, and only secondary consideration has been given to the line of activity fundamentally essential to placing the work of either department on a firm foundation.

The conducting of medical inspection is so essential to both departments, and so inseparable at this time from either, that the inspector should be a representative of both acting conjointly. With any other arrangement there might arise a conflict of authority. If there is to be any separation of the respective departments in the work, the authority for its conduct should be logically vested in the educational department, with power when conditions warrant it to delegate the authority to the health department.

The prevention of the epidemic diseases and their sequelae would justify many times the investment in the whole-time health officer. But this represents only a part of his work. Where investigations have been made it was found that among school children about 50 per cent. have defective teeth, 25 per cent. enlarged tonsils, 12 per cent. adenoids, 2 per cent. defective mentality, 14 per cent. defective breathing, 23 per cent. defective eyesight. In the South in rural communities those having hook worm disease range from 10 per cent. to 75 per cent. Skin diseases, bone deformities, etc., are found in smaller percentages.

In North Carolina Guilford and Robeson counties have young physicians who are splendidly qualified giving their entire time to this work, and the people are greatly pleased. A number of other counties are paying greater attention to the matter and are requiring increased time of their county health officers. On Knott's Island, which is about seven miles long and one mile wide, constituting practically all of Fruitful Township, there live one hundred and fifty families. Each family pays a physician one dollar each month, or \$1800.00 per year to care for their health. If he can keep them well, his work is made lighter. Five of the most influential citizens of the Island collect the money and become responsible for the doctor's compensation. The plan seems to work well and is highly satisfactory. Lectures on health subjects are given by the doctor and are well attended. He says that up to this summer malaria has kept the physician busy but

that it is now practically eradicated. The Island is to make a campaign for better sanitary conditions with the expectation of eradicating also typhoid fever and hookworm disease. This plan could be well carried out in a township or school district.

As medical inspection among our rural schools represents something of a pioneer work, its success or failure will be governed very largely by the man selected as inspector. He should be a physician well equipped with collegiate and professional training. He should possess discretion, tact, patience, enthusiasm for the work, and the power to inspire enthusiasm in others. Previous experience in school and health work is a very desirable requisite. Possessed of these qualifications the man needed will always command an adequate income. It need not be expected, therefore, that he can be had without his being compensated on a basis commensurate with what he would receive in private practice. To let out work of such vital importance to the lowest bidder, to one perhaps who needs the salary because in private practice he is seldom sought, would be fatal to the work, and should be regarded as criminal. The man chosen should be the fittest physician obtainable, without regard to county or state boundaries.

A study of the duties performed by the inspector would be most interesting, but there is such a lack of uniformity that they will not be discussed here. On account of the time required to reach the rural schools of the South the county inspector must of necessity teach the teachers and delegate to them much of the preliminary work.

Briefly stated, his duties embrace an inspection of school premises relative to the sanitary condition of the school property and the vicinity immediately surrounding it; an examination of the school children for the identification of all those requiring medical care; the exclusion of those suffering from communicable diseases; the detection of ailments, defects, or diseases other than communicable diseases; the examination of the drinking water; the inspection of privies and other school facilities necessary to the protection of the health and vitality of those attending school.

Some method of keeping track of each child is used so that infectious diseases may not spread and in order to know what chil-

dren have received medical attention. To compare their progress before and after the correction of defects furnishes a very interesting study, one that leaves no room to question the expediency of having medical inspection.

The Sinai Manuscript of the Bible

CHARLES W. PEPPLER

Professor of Greek in Trinity College

The three oldest and best manuscripts of the Bible, the Sinaitic in St. Petersburg, the Vatican in Rome, and the Alexandrine in the British Museum in London, are of so much importance for Biblical criticism that scholars are anxious to get all the evidence they afford, and hence are not satisfied with editions in common type simply, but desire further an exact knowledge of the appearance of the manuscripts even to the minutest details. To this end both typographic and photographic reproductions of the Alexandrine and Vatican manuscripts have already been made, and Tischendorf's monumental typographic facsimile of the Sinai manuscript is well known. It remained therefore for some one to publish also a photographic reproduction of this manuscript which would take its place by the side of Maunde Thompson's autotype facsimile of the Alexandrine and Cozza-Luzzi's beautiful photographs of the Vatican manuscript. This need has been partially supplied by Mr. and Mrs. Lake's recent publication of a photographic facsimile of the New Testament part of the Sinaitic manuscript,* and a similar edition of the Old Testament part is expected to follow in due time. It is highly desirable that this should include the forty-three leaves of the Sinai manuscript that are in Leipsic; yet the title of their work gives us no reason to believe that it will. These photographic reproductions have great value, not only because they make the manuscripts accessible to scholars all over the world, but because they furnish excellent copies in case the originals are destroyed by fire, as happened in Turin in 1904.

About fifty years have elapsed since the discovery of the Sinai manuscript. The publication of the Lake facsimile may therefore be regarded as a fitting celebration of the semi-centennial anniversary of the great event.

* *Codex Sinaiticus Petropolitanus*. The New Testament, the Epistle of Barnabas, and the Shepherd of Hermas. Reproduced in facsimile from photographs by Helen and Kirsopp Lake, with a description and introduction to the history of the Codex by Kirsopp Lake. Oxford, Clarendon Press, 1911. Pp. XXIV and 399 plates.

To discover, to save from destruction, and to publish to the world one of the two oldest and best manuscripts of the Bible and the most complete for the New Testament, was the achievement and the glory of Constantin Tischendorf, whose work together with that of Lachmann marks an epoch in the history of Biblical criticism.

Tischendorf believed with Lachmann that the true text of the New Testament must be based upon the most ancient authorities and not upon what is known as the Received or Traditional Text. Up to a generation ago ordinary Greek Testaments, though they differed in minor details, all gave the Received Text. This is the text of Erasmus as it was later improved by Stephanus and Beza. It was derived for the most part from a few manuscripts, chiefly cursives, of later date than the tenth century. From it our Authorized Version was translated. Erasmus, who was the first to publish a Greek Testament after the invention of printing, used for it only six or eight late manuscripts that he had at hand in Basle (we have more than 3000 in all now). None that he used was complete, and the only one that contained Revelations lacked the last six verses of the book. To supply this deficiency he retranslated them from the Latin Vulgate into Greek of his own composition, and in doing so employed some Greek words that are not found in any Greek manuscript of the New Testament. Yet some of them still remain in the Received Text.

For Tischendorf the manuscripts that are more than a thousand years old had supreme value, as being nearer to the original autographs in time and therefore less liable to contain the errors that are made in repeated transcriptions. While preparing his first critical edition of the Greek Testament he came to realize how meager and insufficient was our knowledge of most of the great manuscripts of the New Testament and how imperative the need for accurate copies of these ancient authorities to enable scholars to make a close approximation to the earliest form of the text. The realization of this need and his resolve to supply it determined the character of his life-work. For the next two decades he visited the great libraries of Europe and journeyed to distant monasteries in the East in order to copy or bring back ancient Biblical manuscripts. No man ever gathered from the

Orient such a rich hoard of manuscript treasure as did he. He collected about two hundred, written in various languages, and those of most importance for Biblical criticism he published.

Among the many notable achievements that crowded his life one stands out with special prominence. The story is a familiar one. The scene of it is laid in an Eastern cloister far off in the silent and desolate Desert of Sinai. High up among those barren mountains stands the monastery in a long, narrow valley that makes a gradual descent between the traditional Mt. Sinai and Jebel ed Deir (Mt. Monastery). It is a strong, fortress-like enclosure built in the sixth century by Justinian on a spot where God is believed to have appeared to Moses in the burning bush, the most sacred spot in the whole Sinaitic peninsula. It takes its name from the martyred St. Catherine whose bones according to the legend were carried by the angels from Alexandria to the summit of Sinai and then transferred by the monks to the church. To this fortified but hospitable monastery Tischendorf came in 1844 on his first Eastern journey in quest of manuscripts. Here in the library in a waste-paper basket whose contents were destined for the fire he found some old leaves of parchment, and to his unspeakable surprise and delight discovered that they were part of a very ancient and valuable Greek manuscript of the Old Testament. Already two basketfuls of similar parchment leaves, he was told, had been burned. He found 129 in all, but the monks allowed him to keep only 43 loose leaves, and nothing could induce them to part with the remainder. Yet he never relinquished the hope of getting possession of it, and consequently, when he published his 43 leaves in typographic facsimile under the title of *Codex Friderico-Augustanus* in honor of his royal patron, he did not divulge the name of the place of discovery lest another win the coveted prize. A second visit in 1853 proved fruitless; he could find no trace of the manuscript. His third in 1859, made under the patronage of the Russian Emperor, seemed likely to prove just as unsuccessful, when on the eve of his departure the steward of the monastery with whom he was conversing about the Greek text of the Bible remarked, "I too have here an Old Testament in Greek," and thereupon brought from a corner of his cell a large manuscript wrapped in a red cloth. Imagine Tischendorf's utter amazement when he saw not only the long

sought 86 leaves but 260 more which the monks had since found, comprising other parts of the Old Testament, all of the New Testament without the slightest omission, the Epistle of Barnabas in full, and the first part of the Shepherd of Hermas. He got permission to take it to his room. Here he gave himself up to transports of joy. His dream of years was realized, his fondest hopes surpassed. First he thanked God for so rich a blessing on the church, on literature, and on himself. It seemed to be a crime to sleep. In the cold and with a dim light he copied the Epistle of Barnabas, since no copy of the complete letter in Greek was then known. As St. Catherine's had no conveniences for such work, he was allowed after a time to copy it in the affiliated monastery in Cairo. Several months later he carried it to St. Petersburg as a loan in order to publish it, and finally the monks presented it to the Czar, the head of the Greek church, receiving in return about \$7000 and various Russian decorations. It may now be seen wrapped in the same red cloth in the Imperial Library at St. Petersburg.

Steps were at once taken for its publication at the Emperor's expense. In view of Lake's work it is interesting to recall that the question arose whether it should be reproduced in a photographic facsimile or in a typographic imitation, and that the Czar favored the former method in spite of the probable high cost which was estimated at above \$72,000, while Tischendorf on the other hand preferred a typographic facsimile as being a better means of showing the text where it is obscured or where there are erasures, corrections, or superimposed letters. It is fortunate that Tischendorf had his way, since we thereby get the benefit of his immense palaeographic knowledge and experience; and now we have facsimiles of both kinds, for the New Testament part at least.

After three years of incessant labor the *Bibliorum Codex Sinaiticus Petropolitanus* in four large folio volumes appeared in October, 1862, "the most perfect facsimile edition which was ever published in the pre-photographic period," says Lake, voicing the common opinion. Special type had been cut to imitate the letters of the original, even the distances between the letters had been maintained, and there had been repeated proofreading and the most careful revision. The publication was no less a triumph than the

discovery. Only 300 copies were printed. When Tischendorf formally turned these over to the Czar in St. Petersburg, the latter kept 200 copies to be presented to the leading scholars and institutions of learning throughout the Christian world, and graciously returned the remaining hundred to Tischendorf to be sold for his own personal benefit. The price of the four volumes at first was fixed at \$165, but was later changed to \$126 after his cheaper edition of the New Testament part in common type appeared.

Honors now came upon him thick and fast—orders of knighthood from European governments, honorary degrees from Oxford and Cambridge. The Russian government raised him to the nobility of the Empire. A chair was created for him at the University of Leipsic. His titles were legion. "I would rather have discovered the Sinaitic manuscript", said one scholar, "than the Koh-i-nur of the Queen of England".

The Lake facsimile preserves the actual size of the pages (14 $\frac{1}{2}$ by 13 $\frac{1}{2}$ inches) and also the original grouping in quaternions of 4 sheets, that is, 8 leaves or 16 pages. Originally the Sinai manuscript must have contained the whole Bible, and, to judge from the numbering of the quaternions, it had 730 leaves. Of these only 346 $\frac{1}{2}$ survive in the manuscript in St. Petersburg, 43 in that in Leipsic. The extant part begins with I Chronicles IX, 27, and contains less than half of the Old Testament in the Septuagint version and the whole of the New Testament without the loss of a single leaf. It is written on thin vellum or parchment of a fine quality made from the skin of a good-sized animal, one skin being required for every sheet. The letters are large and broad uncials, simple and unadorned. They run on continuously without separation of words, without breathings and accents, and with little punctuation. The page has four narrow columns of 48 lines each. Parchment manuscripts as a rule have but two columns, the Vatican has three, but the Sinaiticus stands alone in having four. The eight narrow columns of the open codex, together with the shape of the letters, give it something of the appearance of a papyrus roll, and so we may infer that it was copied from, and modeled after, a papyrus original. Lake favors the view that it was written in Alexandria or at all events in Egypt, and thinks it probable that both the Vatican and Sinai

manuscripts came from the same scriptorium, though he like many others does not agree with Tischendorf in identifying the scribe of the Vatican with one of the four scribes of the Sinai codex. Tischendorf made the reasonable suggestion that the Sinaiticus might be one of the fifty copies of the Holy Scriptures which Emperor Constantine in 331 directed Eusebius, Bishop of Caesarea, to prepare for the churches of Constantinople. These were to be "written in easily legible characters on parchment by skilful calligraphists and made up of ternions and quaternions," that is, quires of three or four sheets, or perhaps the much debated Greek words here must be interpreted as meaning the three and four columns on the page, as we find them in the Vatican and Sinaitic codices respectively. The description fits these manuscripts fairly well, and together with other evidence would seem to connect them with the famous library of Pamphilus at Caesarea. Whether their place of origin was here or in Alexandria or elsewhere is as yet undetermined. There is substantial agreement, however, that the date of the Sinaiticus is about the middle of the fourth century. In the seventh century there is some reason for believing that the manuscript was in Caesarea, but in fact nothing definite is known of it until its discovery in the last century. How it reached the Monastery of St. Catherine, whether it came from Constantinople as a gift to the monks from Justinian, the founder, or was brought by refugees from Caesarea when the town was taken by the Arabs in 638, is pure conjecture.

Graf von Aehrenthal and the Rise of Austria

ROY TEMPLE HOUSE

Professor in the State University of Oklahoma

The recent death of the sanest and strongest national leader of modern Austria seems to have brought forth the slightest possible amount of discussion in this country. Partly because the world is not in the habit of looking to Austria for great statesmen, and partly because he was unable to advance the interests of his own country without prejudicing those of other countries, Graf von Aehrenthal has been very unfairly treated by writers on diplomatic subjects. The European press has been abusive and the American press silent; so that there is a place for a very elementary account of his work.

Austria's defeat at the hands of Prussia in the 'sixties had hurt her prestige seriously, and her future looked very dark for a time. But the Hungarian Count Andrassy, the judicious Austrian foreign minister, had swallowed his pride and concluded an alliance with his country's successful enemy and with the recently established Kingdom of Italy, as a result of which he secured Bismarck's support for his project of annexing Bosnia and Herzegovina. Andrassy was succeeded by Kalnoky, an industrious worker who called forth from Bismarck the admiring comment that he had accomplished more in two hours than his predecessor could have done in two days; and who, moreover, was too keen-eyed and enterprising to allow even the determined Iron Chancellor to ride over him rough-shod. Finding that Bismarck was inclined to coquet with Russia, he was able to secure an understanding with Italy and England that rendered it impossible for Russia to interfere in the Balkan States. Then came Goluchowski, during whose period of service in charge of the Vienna Foreign Office France became the public ally of Russia, and who concluded with the Russian minister Lamsdorff the so-called Mürzsteg agreement, pledging the faith of both countries to maintain the strained and inevitably temporary *status quo* in the Balkans. It was at this juncture that the minister took charge who was destined, honorably but shrewdly and determinedly, to take advantage of the tangled state of affairs and do his country a permanent service.

Alois Lexa, Baron von Aehrenthal, was a Bohemian, born in 1854, educated at Prague and Bonn, and had spent all his active life in the diplomatic service and the Foreign Office at Vienna. He had been Ambassador to Bukharest and to St. Petersburg, so that he knew from first-hand information both the Balkans and the Russians; two branches of knowledge which were to serve him well in his life-work.

When Aehrenthal entered the ministry in 1906, he found matters in great disorder, both without and within. Russia, whose Eastern ambitions had been blocked by Japan, was determined to seek an outlet to the south. England seemed inclined to encourage her, and France was her ally. But even less complicated foreign problems would have been difficult of solution with so little of unity at home. The Empire of Austria-Hungary is the most incoherent and heterogeneous great Power imaginable; and, at the time in question, Aehrenthal's Slav fellow-citizens were opposing the Triple Alliance because it was interfering with the plans of Russia, the Poles were equally bitter against it because Germany was legislating so harshly against the Poles in her boundaries, and the Germans and Magyars were finding it as impossible to work together as they have always found it. Aehrenthal showed remarkable restraint and caution in handling these warring elements. In the matter of the treatment of the German Poles, for example, although he protested privately and unofficially at Berlin, he maintained at home that Austria had no right to interfere in the internal affairs of her ally. There was as little of the demagogue in the Graf von Aehrenthal as in any public character of his generation.

He was not an opportunist. He had been sure from the beginning that Austria's best interests demanded a permanent alliance with the German Empire, and he clung tenaciously to this alliance even when it seemed in some details prejudicial to his own country. When Austria's trade with the Balkans and the Levant seemed threatened by German competition, he used his influence to prevent discrimination against Austria's ally, for it was his settled conviction that she must be kept friendly at any cost. His lack of active support of Germany in the Agadir matter cannot be construed to indicate lack of sympathy for her: it may even be, as a writer in the "*Deutsche Rundschau*" (July,

1912),* suggests, that his influence would have provoked Russia to take an aggressive stand in behalf of France, and that nothing substantial would have been accomplished except to enlarge the bounds of the controversy. And his constant friendship for Germany bore fruit, for it was Germany's moral support that rendered possible the final addition of Bosnia and Herzegovina to the Austrian dominions.

But Graf von Aehrenthal's general policy was one of friendship and conciliation, where no vital issues were involved. Italy has been a doubtful and jealous ally, constantly on the watch for an opportunity to extend her north-eastern boundary at the Empire's expense; but Italy, during Aehrenthal's term of office, was always treated with remarkable cordiality and leniency. Even the questionable Turkish war, in spite of Austria's friendly relations with Turkey, brought no change in his attitude and no attempt at interference. And Serbia, who was so indignant at Austria's entrance into the Balkans that she was in the act of declaring war, and was restrained only by the surprising discovery that she was unable to draw the great Powers in after her, was treated with the most exquisite courtesy, and Austria's attitude toward her has since been very friendly. It was Aehrenthal's lack of jingoistic qualities, in fact, which induced the unpopularity that would probably have meant his downfall if sickness and death had not intervened so suddenly.

His one supremely great achievement, and the one for which disappointed adversaries have attacked him so often and so bitterly, was the territorial extension we have several times mentioned. Its history, very briefly, is as follows. Austria had always coveted the Adriatic territory, and Russia had always been eager for an outlet to the south. As far back as 1877, Russia had proposed an arrangement by which Bosnia and Herzegovina should be made over to Austria and the Slav state of Bulgaria should be extended to the Aegean. When the Powers gave into the hands of the two Empires the policing of the Balkans, it was held by some authorities that such territorial aggrandizement as was contemplated from Vienna was wrong in view of the position of judge or umpire between Turkey and the smaller states

*I have drawn very liberally from this detailed and excellent study of Graf von Aehrenthal.

with which she had been entrusted; but the contention of M. Izvolsky, the Russian foreign minister, was only that it was inexpedient and likely to prejudice reform in Macedonia for one of the Powers who was holding the whip over the reluctant Sultan to be at the same time asking favors of him. However this may be, it is clear that Russia was as ready to interfere as Austria was; negotiations between the two foreign ministers reached a point where it was mutually agreed that there would be no interference from either side if Russia passed the Dardanelles and Austria took absolute possession of the two provinces. The latter event happened, but England, the constant friend of Turkey, interfered to prevent the former. So it came about that Aehrenthal secured what generations of Austrian statesman had worked for in vain, while Russia had her labor for her pains.

The coveted provinces once in his hands, the Austrian minister calmly announced that the incident was closed; and the cajoling, badgering, threatening of the European concert had not the slightest trace of effect. Serbia prepared for war; he did the same. Italy declaimed, but he knew that Italy was too keenly alive to her real interests to desert so faithful a friend as he had been. Russia fumed and raged, but he knew that Russia was in no condition to fight. England protested, but he knew that it was not worth England's while to interfere. He stood like adamant; and the Powers, seeing him determined, yielded at last. Nothing could be simpler. He who wills, accomplishes.

It was all done for his country. He had nothing from it personally but momentary applause at home, which died away as soon as it appeared that he had no intention of taking jingo advice in his method of following up his success. He died of overwork, at an age when a statesman should be at his best, and after less than six years at the helm. But those six years meant much for Austria; and if patriotism is a merit, he died with the consciousness of a duty effectively discharged.

A Mediæval Irish Ideal of a Saint and a Gentleman*

EDWARD GODFREY COX

Professor of English in the University of Washington

Christianity made its way into no country with as much ease, with as little shock to the existing beliefs, and with as little readjustment of habits of mind as it did into Ireland. Whether because the temper of the race was so porous that it readily permitted new currents of thought to sap through, or whether because the ancient Irish theogony being so vague and broken-down that, feeling the want in their spiritual life of an overruling power to reward and punish conduct, they opened their arms to the new faith, certain it is that the evangelisation of the island was marked by a really negligible quantity of violence and bloodshed. The cause of Christ in Ireland offers absolutely no parallel to Charlemagne's bloody conversion of the Saxons or to St. Olaf's conflicts with his Norse jarls and freeholders; it resulted in no emigration of stout-hearted pagan bonders to barren, bleak islands to escape the White Christ being forced down their throats. It was not that the native traditions were so feeble and weak that they permitted themselves to be driven backwards and finally tumbled pell-mell over the western cliffs into the sea, as is reported to have happened to the snakes; nor was the subsoil of culture so barren and lifeless that it needed vitalizing waters to call into life a rich mental harvest. Rather the legendary material, like the people themselves, who absorbed into their national consciousness Danes, Normans, and even a chance intractable Englishman, turning them out more Irish than the Irish themselves, took over to itself both classical and Christian leaven and yet remained essentially and insistentlly pagan Irish. The early missionaries and monks of Ireland had their share of work to do in frightening away demons, in ridding the land of sorcerers and wizards, and in a few instances of felling idols and demolishing altars; but in the latter profession they lagged far behind the Puritans, Presbyterians and Anabaptists; for one reason that, in ancient Ireland, there were not many of the high places consecrated to heathen

* A lecture before the University of Chicago, August 8, 1912.

gods to destroy. St. Patrick hurled down Crom as Olaf did Thor, with equal impunity: but this seems to be the only historical instance. One thing which simplified their task was the absence of a hierarchy of priests, stiff, proud, and impregnable, and "grown fat with long security," to break down and dissipate. The druids, it is true, offered resistance to Patrick, and potent wonders in the shape of mists, darkness, simulacrum, and showers of fire and blood they could work too. But, unlike their confrères in Gaul, they do not appear to have constituted an organized system with degrees and orders. Their business was chiefly to effect sorcery, to prophesy and to teach. As a matter of fact, the Christian missionaries were looked upon by the pagan Irish as druids of greater capability and efficiency than their rivals of heathen belief. And the Christian men of learning who preserved to us in writing the ancient stories suffered no revulsion of feeling at the existence of such a type of man. It was a druid, the celebrated Cathbad of the Cuchullin saga, who foretold the coming of Christ, and counselled the mother of Conchohar to delay her impending delivery until the natal night of Christ that the babe to be born might fulfill the fated word and become one of Ireland's greatest kings.

The conversion of the Gaels was facilitated by the nationality of the saintly apostles, who were largely of the same stock as their benighted brethren; hence no impenetrable hedge of alien culture and ways of looking at things intervened between the churches' pioneers and the receptivity of the people, as would have been the case had Christ's word been purveyed by the Roman with his grip on fact and reality or by the Saxon of the one point of view. The gospel was brought home to the inhabitants of the island by men of kindred temperament, men who had not ceased, even after having become subject to the clarifying vision of Christianity, to people space with sentient beings, and were just as ready as before to wonder at a strange, wild cry come hurtling through the air and awakening men from sleep, or who were not loth to believe in voyages to mysterious seas where men happened upon huge silver pillars with their gleaming bases lost in the ocean's depths and their summits in the clouds.

To such men, fortunately for the world of literature, was entrusted the preservation by the written word of the legends

floating from mouth to mouth. They seemed to have been peculiarly susceptible to the appeal of their native traditions, those Irish scribes, for they handled in general the oral culture of their poets, bards, druids, and lawgivers with most loving care. It can hardly be expected from professed enemies to paganism that all the ware of art which passed through their hands should escape some polishing, some chipping, some regilding. But the ecclesiastical overlaying was a thin veneer, which usually washes off readily enough. The attitude of these toward the stories of their country is not unlike that of a child gazing upon forbidden fruit. So stern and jealous a worker as St. Columba felt his curiosity get the better of him when one day he was sought out by a youth from the Land of Promise, i. e. the Celtic Otherworld, the Land Beneath the Sea, who was impelled to return to this world by a desire to learn something from the Saint. Instead of gratifying the wishes of his visitor, or of improving the opportunity to make a sinner feel the weight of sin, Columcille spent the time questioning the youth of his abode, which lay beyond the bounds of mortal life, not in the spirit of patronizing self-justification, but as if moved by the feeling that here was a rare chance to learn of a world from which he, as a believer and a saint, was forever debarred.

Living during the decade of 1142, or with equal probability several generations later, was a scribe who assuredly united in himself antiquarian zeal, pride in his country's love, and the solicitude of a scholar for perpetuating learning, together with an affection for the welfare of the church and its ministers like that of a mother for her child. It is impossible to say whether he collected and set into unifying framework the body of Ossianic legends known as the *Acallamh na Senorach*—or *The Colloquy of the Ancients*,—or whether he is responsible for their preservation by having done nothing more than merely copying them from some manuscript, now lost to us, into the code known as the *Book of Lismore*. In either case it is to be hoped that he has won his reward, for, to quote from the tale itself, "to the companions and nobles of the latter time to give ear to these stories will be for a pastime." In other words, we have here in this, the longest of the prose romances treating of Finn Mac Cumhail and the Fianna (the Fingal of Macpherson's Ossian), the noblest concep-

tion of the Ossianic heroes and their relationship to the world about them extant in all this enormous body of romance.

Ossian! At one time in the history of English literature what a name to conjure by! How it now smacks of fabrication—nay, of monstrous fabrication! To whom does it not call up a mental picture of a stiff-necked, misguided Scotchman, of a snorting, egregious Englishman, hater of things Scotch, of momentarily beguiled enthusiasts like Goethe and Schiller and sworn admirers like Napoleon. How it ran like a fiery wine through the veins of the Romantic movement! Those who read MacPherson in their youth will meet wandering recollections of rhapsodic utterances of mournful heroes, descriptions of desolate moorlands enveloped in the dusk, gloomy mists brooding over mountain tops, fitful winds blowing over the cairns of forgotten warriors, cloud-bedimmed moons drifting wanly over fields where lay the dead from battle wounds, and all the wild romance of the Highland glens and

"The silent flanks of hoary Bens,
The loch unruffled, far away,
Lying calm and blue on the floor of the glen."

But those who came to it as students of literature can easily revive the shock of incredulity that such vaporings ever influenced so mightily the greatest minds of Europe.

It is to be feared, however, that at the spell of the name to only a few will there arise visions of the deeply-wooded hills and glens of Ireland echoing to the bay of hounds, the belling of stags, the grunt of the wild boar, the shouts of Finn and the Fianna in relentless pursuit. The names of Finn Mac Cumhail, Ossian, Oscar, Caoilte, Fergus True-lips, Diarmuid of the love-spot, and his heartless wife Grainne, the sturdy Goll, the bald Conan, breeder of mischief and hateful of tongue, mean to the average reader little more than would a similar list from the myths of Siberia.

These war and hunting bands of the Fianna, so named from their original occupation of hunting, are thought to have diversified the life of Irish kings, especially, Cormac and his son Cairbre Lifechair of Tara during the third century after Christ. That is, they formed a standing body of janissaries under the leadership of Finn Mac Cumhail, independent of the central authority of Tara. Like such bodies elsewhere in the history of the world,

which stood outside of tribal laws and royal authority, they so swelled in numbers and waxed in insolence that they became a nuisance and a menace. Finally they piled Pelion on Ossa when they demanded of Cairbre, king of Tara, that he should not allow his daughter to become the wife of the King of the Decies until she had first been offered to and refused by the Fianna, for such was their law. At this the High King determined to put them down for once and for all. The battle of Gabhra fought in 283 A. D.—the theme of so many Ossianic poems, proved destructive alike to the Fianna and their foes. Cairbre fell in the battle; but the power of the Fianna was broken forever.

These traditions may be rooted in historical reality, and they may not; that has made little difference to the popular impulse and imagination, which, stirred up by the potentiality inherent in such deeds, has built up a body of romance extending from the eleventh century down to this very day and in bulk amassing to a formidable size. In mediaeval Ireland their popularity seems to have been consequent upon the rise of Southern Ireland to power in the eleventh century viz., of Brian Boru of Munster, for up to this time the dominating houses in Ireland had been those of Ulster, and the dominating romances the heroic tales of the Cuchullin cycle. How early the stories of Finn and his followers had domiciled themselves in Scotland is hard to say; mention of their names occurs in the Middle Scots poem of the *Bruce*, not untinged with a sneer. At any rate once taken in and made household matters the Ossianic legends emerged in ballad form, bearing a different religious aspect; and so thoroughly had they made themselves at home among the Gaels of Scotland, that it is little wonder that the Highlanders backed up so loyally MacPherson's claim to Scottish origin.

What is the nature of the world spread out before us in the *Colloquy of the Ancients*, as the stories roll off of the tongue of Caoilte, the narrator. In the first place, it mixes up three different epochs of Irish history—that of the third century—the epoch of the Fianna, with that of the fifth—the age of St. Patrick, and that of the sixth,—when Dermot was king of Tara, and finally it is preserved in a codex which dates probably from the fifteenth century. It is essentially an out-door world, in which breathes, as perhaps in no other mediaeval romance, a deep, abiding love of Nature; a

close observance of her minutest elements,—the water-cress, the brook-lime, the nuts, the mast hanging down from the trees; the seasons, the green copse woods of summer, the snow of winter, the freezing lochs; the stags seeking shelter from the cold, the variegated salmon in the estuaries, the wild swine in the forests, and the red-chested fawns. No music is so sweet to Finn as the baying of hounds, and nothing revives the aged Caoilte so much as a hunt in the manner of bygone days. And woven inextricably into this world of nature and of men is the world of the faery, i. e., the Tuatha Dé Danann,—a race of beings both divine and human. In the earlier legends these had enacted the parts of gods and goddesses to the men of Ireland; but having been defeated by the Milesians, the invading ancestors of the present Gaelic race, they retired into the hills and mounds, where they lived somewhat shorn of their power and deprived of whatever awe-inspiring features they may once have possessed. They still owned the ability of transformation and shape-shifting, of magic and sorcery, and, though immortal, could be slain in battle. With these beings so confusedly elevated above the plain of mortal existence and again lowered beneath it, the Fianna have been and still are in constant intercourse, giving and receiving assistance, feasting, marrying, and fighting with them. Their presence in these tales licenses magic to come and go as freely as shadows run over the grass. No knight could ever set out from Arthur's court hot for adventures unamenable to human laws and be more sure of his desire's fulfillment than the reader who follows Caoilte and Patrick in their wanderings over Ireland. There swarm in and out of the pages of this book witches and wizards, monsters dwelling in the lochs, giants and dwarfs, old hags, grey churls, phantoms, bodies without heads, baleful birds, unearthly hounds, fairies singly and in hosts, beautiful deer who lure hunters away into the hills and there assume the shape of beautiful women, women who are "dreeing their wierd" in the sea, the sea-god Manannan himself galloping over the waves, strange foes who ride off over the watery ways to be lost in the distance, magic swine which, like the widow's cruse of oil, never fail of furnishing sustenance, magic weapons of peculiar potency, walls of fire racing around encampments,—all in all such a kaleidoscope of bewildering, other-world doings that, if we

were mortals of that day, we should be eternally doubting the evidences of our senses.

Yet, strange to say, the stories with which Caoilte regales the listening clergy and nobility of Ireland are remarkably free from extravagance; they are told with a restraint and naiveté that disarms incredulity and serves to elevate them to the high-seat of the Ossianic romances. And in this world where the paths trod by mortal feet cross those worn by the immortal, where material laws of cause and effect are held in suspension, is placed St. Patrick, the apostle of all that is opposed to superstition and demonology, the evangelizer of Ireland, the first of "the first order of Irish saints". By all rights this race of fairies not yet wholly undeified, should at once have been degraded to the rank of demons and banished below to the fires of hell. On the contrary, he not only withholds his hand, not only refrains from rebuking his converts and his newly made friends of an ancient order of things for consorting with such folk, but he also very openly manifests the liveliest of interest in the tales of the past and even accepts the proposal of the Tuatha Dé Danann to become their spiritual head. In fact, he is so captivated with the revelations of the glory just passing away that he finds it necessary to check himself lest Heaven be wroth with him for neglecting prayer and holy ministrations. There seems to be a thirst in his soul that finds its slaking in pagan lore rather than in the Water of Life.

The bringing together of St. Patrick and the last representatives of the Ossianic age is the business of the introduction of the *Colloquy*, and in this opening is struck both the tone of mutual interest and courtesy and of lament for faded glories which colors all later Irish poetry. How Ossian, the son of Finn and Caoilte, the chief narrator, happened to live over the space of 150 years separating them from the disastrous battle of Gabhra, in which fell the flower of their companions, is not related. According to another tradition Ossian had been lured away to the Land of Promise—the Celtic Paradise—where age and time, sickness and death never look in, but, seized as were all like adventurers with a longing to revisit human haunts, he returned, to find himself the sole survivor, by several generations, of the Fianno, and, not unnaturally, an extremely aged and helpless old man whom

Patrick takes charge of. But this account is the starting-point of the balladic series of tales, especially developed by the Scotch, which builds up on the feeling of hostility between the pagan Ossian and his ecclesiastic keeper. As the *Colloquy* begins, Ossian and Caoilte, depressed in spirit and not knowing where to lay their heads, agree to separate for a time, the former seeking out the abode of his ancient foster-mother, and the latter faring on toward the old foot of Drumderg, where the Fianna used to congregate. As he and his band of nine followers draw near the rath, they meet Patrick and his clerics celebrating mass. At first their huge size and the fierce aspect of their wolf-hounds create some terror among the clergy, who seem to realize at once that here were people not of one time and epoch with themselves. Patrick's impulse to besprinkle them with holy water would appear justified, for upon the accomplishment of the act, myriads of demons, which were wont to hover over Caoilte's head, betook themselves to flight. It is right characteristic of the conception which the scribe entertains of Patrick, that, after learning who they are, instead of falling to legitimate missionary work of conversion, he asks where water might be found, and, when dinner arrives, orders it to be distributed in part among the Fianna. Then by asking of Finn, of whom he is not ignorant, Patrick unlocks the hill lore bound up in Caoilte's memory and sets in motion the long series of romantic tales of Fenian exploits which seemed to be associated with every valley, plain, and hill in Ireland. Then too begins the interchange of beautiful courtesies between the son of Ronan and the son of Calpurn, as the two wander over the country, the one to assuage the grief of his soul by revisiting old haunts, the other in part to keep company and in part to carry on the work of the church. And this friendliness, which soon deepens into affection, is never broken or even disturbed during the whole course of the narrative, which lasts over a year. What we know of the Saint from his *Confessions* falls in with the portrayal of his character by the compiler of these legends, who has had no call for idealization in this respect. What is idealized is the ready yielding of the whole country to the call of the Church. For Christianity was not accepted so spontaneously as is recorded in the *Colloquy*. The kings did not come out and meet him bringing with them souls

ripe for the harvest and hands full of gifts. Even as late as St. Columba's day, the high king of Tara was still pagan at heart. But aside from these deviations natural to the thirteenth or fourteenth century, the narrative reinforces the impression we gather from his own confessions, of the Saint's kindliness of disposition and of his tenderness and love for his new converts, both in their material and their spiritual misfortunes,—all bearing witness of a noble and lofty apostleship that reminds one of St. Paul's. If, during his lifetime in the fifth century, he had to endure many perils and overcome many hardships, to run risks of assassination, to lie in chains for fourteen days, to live in poverty and deny himself pay that the holy men who came after him might benefit by the offerings he left untouched: is he not then entitled to the rewards of gold, silver, treasures, and land so freely bestowed by Fianna, fairy folk, and kings, which the romancer of some seven or eight centuries later sees fit to endow him with? It may have been one of the real Patrick's day-dreams which the scribe was recording long centuries afterward when he had seven youths shyly approach him and impart the gracious news that they were come from the gentles of Connacht "to fetch thee, holy cleric, to convert us (both man and woman) to thy Gospel". Such halcyon seasons visit not often the vexed life of missionary labors; but a vision of them may well have solaced the sleep of more than one patient, heroic soul since Patrick's day.

In what light St. Patrick regarded the profane literature he found so firmly infixed in the public and private life of the native Irish has not come down to us. But according to our romancer's notion of the fitness of things the patron saint of Ireland should be as much possessed of an Irishman's pride in his wealth of legendary lore as of the desire to save souls. Caoilte is welcomed everywhere; and in consideration of a story the greatest niggard in Ireland is moved to offer a three days' entertainment to Caoilte and his troop of followers, which by this time is a bit formidable in numbers. Not a whit behind the laymen in curiosity and eagerness is St. Patrick. As he remarks to Caoilte, "were it not for us an impairing of the devout life, an occasion of neglecting prayer and of deserting converse with God, we, as we talked with thee, would feel the time pass quickly, warrior." And again, be-

fore he wholly abandons himself to the charm of the tales, he says, "Success and benediction be thine: all this is to us a recreation of spirit and of mind, were it only not a destruction of devotion and dereliction of prayer." Having thus paid due respect to the cloth, as it were, our scribe then calls into play the acquiescence and approbation of Heaven. Patrick's two guardian angels, of whom he inquired whether "in God's sight it were convenient for him to be listening to the stories of the Fianna" answer emphatically and of one accord, "holy cleric, no more than a third part of their stories do those ancient warriors tell by reason of forgetfulness and lack of memory; but by thee be it written on tabular staffs of poets and in ollaves words, for the companies and nobles of the latter time to give ear to these stories will be for a pastime." For, to apply here Caxton's apologia in his preface to the *Morte d'Arthur*, "herein may be seen noble chivalry, courtesy, humanity, friendliness, hardiness, love, friendship, cowardice, murder, hate, virtue and sin." But alas! Ireland has not her own king, and the companies of nobles of the present day give no ear to such tales! From then on Patrick never tired of questioning and listening; to such an extent was he taken up with antiquarian lore that his mission of redeeming heathen Ireland seemed to retire into the background. On the occasion of the conversion of Connacht's king, in place of instructing his new disciples in the mysteries of the redemption he sits down on a mount of sods and listens to Caoilte's tale of Oscar's first fight, bestowing a blessing on the story and directing his scribe Brocan to pen it down. Equally Celtic in its intensity is his appreciation of music. Casscorach, the minstrel of the Fianna, had given at the Saint's request a sample of his art. Such music had the power of lulling to sleep women in the pains of childbirth and men suffering from grievous wounds, even though saws were being plied the while. A volume of music of equal sweetness the cleric had never heard before, save, adds the pious scribe, the dominical canons' harmony. Old Irish poets and musicians thought it no shame to name the recompense or reward which they expected from the man whom they had lauded in verse and song. The shame lay rather with the recipient of such an honor, if he refused to hand over the gift requested, even though it extended to his patrimony or to his right eye. As a recompense then Casscorach

asks Heaven for himself and good luck for his art, and Patrick no stranger to such a custom and no niggard in giving, says, "to thyself be Heaven, be that art of thine the third (i. e. one of the three) for sake of which in Ireland one shall to the latest time procure his own advancement; how great soever be the grudging surliness which shall greet a man of thy science; let him but perform minstrelsy, let him but recite tales, and such penuriousness shall vanish before him; everlastingly may thine art number to itself the chief's bed-fellow, and to them that profess it be all happiness, only so as they in their function show not slothfulness." To the spell of the minstrel's music Patrick will not submit unreservedly, for to Brocan's remark that it was a "good cast" of the art, the Saint replied: "Good indeed it were, but for a twang of the fairy spell that infests it; barring which nothing could more nearly resemble Heaven's harmony." Says the Boswell of the Saint: "if music there be in Heaven, why should there not on earth? Wherefore it is not right to banish away minstrelsy." And quite Johnsonian is the reply: "Neither say I any such thing, but merely inculcate that we must not be inordinately addicted to it."

Service of every kind he is quick to appreciate and reward. When his own chariot had broken down he obtains the loan of another from a youth who happened to be passing by. This youth, in his excess of zeal, ventures to say: "My service both living and dead to thee alone." Patrick, mindful of man's mortality, answers: "Nay, at the end of a hundred years from to-day, thy living and thy dead will belong to God and to me forever: and I permit the decision of every decree and covenant in which one of your race is concerned to be in thy favor forever, for lovingly hast thou bestowed thy chariot upon me." Likewise he acknowledges the respect paid him by Conall MacNeill, who preferred to be in his presence to be sitting by the High King of Tara's side, with the award: "Regal power I convey to thee, and of thy seed thirty kings shall reign; my metropolitan city and mine abbacy moreover I make over to thee, and thou shalt enjoy whatsoever I shall have out of Ireland's five provinces." And to the king who suffered the enemy to ravage his land rather than forego meeting Patrick, the Saint could surely do no less than decree that the earth swallow up the foe at that moment.

Perhaps the most beautiful of instances in which Patrick, as God's representative on earth and as distributor of material and spiritual guerdons, bestowed the grace of Heaven on a man, was that of Airnelach mac Admallan, son of Leinster's king. To him had come a man of verse with a poem of laudation. However grateful was the recipient of this onerous honor, he found himself short of treasure, and requested a delay. The poet, who must have been a lineal descendant of the hated Aithirne, the Ulster poet of the unspeakable progress through Ireland centuries before, threatened to satirize the subject of his praise,—the most dreaded of proceedings to the ancient Irish, for it meant the appearance of three blisters on the face of the unlucky individual. In grief and shame at the prospect of being thus labelled as miserly, the prince laid his face to the ground and died. And the stone that was raised over him was the very one, Caoilte says, that Patrick is leaning against. "Heaven and his release from torment be to him from me in recompense of his sense of honor," is Patrick's comment. Whereupon his soul came out of pain, and in the form of a white dove sat above Patrick's head on the pillar-stone.

This same release from the pains of Hell becomes the portion of Finn and of Caoilte and his family. Very much otherwise is the tone adopted by the Ossianic ballads in their portrayal of Patrick's attitude toward the dead Fianna. Far from delivering their souls from torment, he reiterates to Ossian, here the last survivor, that his father Finn, his son Oscar, and all of his companions and their dogs are in the grip of the eternal fires, and to impress the truth on his sceptical ward, grants him a vision of Hell. To the presumable delight of Ossian and the presumable chagrin of the Saint, the vision revealed Finn and his companions engaged in their accustomed occupation of hunting,—but this time devils not deer. The height of obstinacy and unbelief, characteristic of the Ossianic ballads, is reached in the well-known utterance of the resolutely pagan Ossian that if God and his son Oscar were wrestling on yonder hill and Oscar went down, then he would say that God were the stronger. And in such vigorous unbelief the reader rejoices, for, as Ossian maintained, the clerics were a snivelling, stingy, psalm-singing lot, contrasting ignobly with the generous, lusty lovers of venery to whom Ossian belonged.

It is a long remove from this Patrick to the Patrick that could see a bit of sly humor in a tale which involved some immoral relationships. Maybe the fact that the actors belonged to the realm of the sidh, or fairy-folk, i. e. to the Tuatha Dé Danann, and were hence regarded as standing outside the pale of human ethics, accounts for the light judgment which the Saint pronounces on the tale. To Caoilte had come a youth from the Tuatha Dé Danann solely to inquire why a certain cairn was named after Manannan, the tricky Irish god of the sea. "It was a warrior," Caoilte began, "of the Tuatha Dé Danann: Aillén mac Eogabail that fell in love with the wife of Manannan Mac Lir; while Aillén's sister Aine, daughter of Eogabal, fell in love with Manannan, to whom again she was dearer than the whole human tribe besides." The four happened to meet on this very hill, where after a bit of parley Manannan handed over his wife to Aillén and took unto himself Aillén's sister. Perhaps nothing suggests the ecclesiastic less and the keen relish of a story more than Patrick's interrupting comment: "Why this is a complicated bit of romance, that Aillén mac Eogabal's sister should love Manannan and Manannan's wife fancy Aillén." To which the scribe contributes: "Hence the old adage, 'romancing is a complicated affair.'" It may be added that this lack of morality in marital relationship, met frequently in Old Irish tales, is pretty much of a stranger to the moral level prevailing generally in the *Colloquy*.

But Patrick takes a decided stand for morality when such a transaction concerns a human being. In a tale which illustrates the unaccountable ways of the fairy world, the Saint's unquestioning acceptance of their existence, and a high degree of narrative art, he finds occasion to pronounce a decree against a man's sharing his affections with more than one wife. The king of Connacht, by this time a convert, finds himself one day suddenly confronted by a maiden of surpassing beauty and his ears ravished by the confession that she was fallen irretrievably in love with him. But she was the daughter of Bodb Berg, the chief of the Tuatha Dé Danann, and he a married man. She is so wondrous fair, however, that he wishes to exhibit her to his friends, who all stand amazed at her loveliness. Patrick himself is led to inquire: "What maintains you all in the zenith of your form and comeliness?" "All such of us as partook of Goibhniu's banquet",

she replies, "no pain nor sickness troubles them,—but, holy Patrick, in my case and the King of Connacht's, what is thine award?" "It is a good one," Patrick replied; "by God and myself it is determined that a man be restricted to one single wedded wife, and this prescription may not be transgressed." To her sorrowful question what is she to do, Patrick enjoins that she is to retire to her *sidh* (i. e. her fairy mound), but with the consolation that if the king's wife dies first, then she may have the man on whom she has bestowed her love. As she turned to go, weeping bitterly, the king asked: "I am dear to thee?" "Dear indeed!" And he confessed too that none of the human race is more beloved by him than herself, but they must obey the law of Patrick and of God. What the king of Connacht's wedded wife thought or said our narrator leaves to be guessed at.

Touched perhaps by a compunction that Heaven's minister has been playing altogether a second part to Caoilte and his tales, the compiler undertakes to give a display of learning proper to the Saint that shall quite eclipse for the moment the hill lore of Caoilte. The occasion was the call of two men from West Munster upon Caoilte for the purpose of engaging him to counter-spell the baleful fairy-birds, which so devoured the substance of their husbandry that there was left neither "apple on apple-tree, nut on hazel, berry on rowan, neither fawn, nor fledgling nor silly child." Caoilte, for once at fault, asks Patrick: "In what year is there a month without a moon, a moon without a month, and a month with three moons?" Not without suspicion on the part of reader that the question was designed for an exhibition of curious monkish lore, the answer comes back: "The year of the Quartil which is between two thousands of years. The first month of that year is without a moon. In the next month there is a moon, but the moon has not a month, because of the following month. The third month takes three moons upon itself, i. e., the first moon of the first month, which we have reckoned in the course of our previous question, and the first moon of the previous quarter the same month takes; and the third month is the moon of the kalends of that month's original era." Well might Caoilte exclaim: "Success and benediction attend thee, O Saint Patrick! And a blessing came to the generation of the men of Ireland the day thou camest unto them. For there was a demon

at the butt of every single grass blade therein before thine advent, but today there is an angel at the butt of every grass blade therein." And more to the point he asks further: "And when is that year of the Quartil of which thou toldest us?" As beautiful luck would have it, "yestreen was the first night of it." "And the month that contains the three moons, when comes it?" "Tomorrow night is the eve of its commencement and the day next to it." By the rarest of combinations Derg's fields are ripe tomorrow. With everything in fortuitous coincidence, Caoilte sets his spells to work with the result that the "seed of the miller of Hell" fly out over the blue-fronted ocean, where they kill each other with beaks of bone and breaths of fire.

Here and there are evidences that the compiler feels the necessity of sobering the exuberant romanticism of his tales by occasionally forcing to the front the claims of the church. When the freedom of a city is presented to the Fianna such length of time is reserved as is needful for the clerics to celebrate mass. And mention is made now and then, though in general terms, of Patrick's specific mission as the apostle of a new life; of his going out to sow faith and piety, to banish devils and wizards out of Ireland; to raise up saints and righteous ones, to erect crosses, station-stones, also to overthrow idols and goblins, images, and the whole art of sorcery." Patrick, too, not quite sure that too much attention is not given to secular matters in his journeyings, quaintly warned the King of Tara, "Never let that pair (Caoilte and Ossian) dock thee of thy lot in Heaven." To Dermot's question, "What is the drift of that, holy Patrick," he replies: "It is directed at the too great intensity with which thou turnest thy thoughts to them."

Yet, like a cork under water, the moment the romantic element is released it bounds up to the surface again, its reappearance being signalized with a "Good now, Caoilte, tell us a story!" or "Good now, Caoilte, what was the manner of Conan's death?" or "Tell us, Caoilte, for what reason was the name of the 'cruel burial' confessed on this spot?" and straightway, "on the viewless wings of poesy," as it were, he flies off after Caoilte back to the old days when Finn by applying the poisoned spear to his forehead resisted the sleep-compelling fairy music and thereby saved Tara from its periodical burning; or to the time when his

wife fleeing along the seashore turned her face to meet the rushing javelin flung by the hand of one who should have protected her.

Truly, as one of the speakers remarks, "The Gael is a perfervid thing," manifesting a "visionariness which results from a communion with the unworldliness of nature," and pursuing tenaciously an ideal ever flying before him. When he stops to look around he finds that his crafty neighbor has stolen in and pocketed the fruits of his labors, while he himself is left standing alone on the uplands with not much more to show than a tantalizing glimpse of the Land of Promise. Surely this must be their destiny; to provide a spiritual corrective to our slothful, upholstered ease, to act as a keen-edged wind of March to our sluggish visions, to show the permanence and uplifting power of the ideal. Who would willingly resign the concrete embodiment of the beauty of loyalty which the Highland clans of the '45 have left as a precious legacy of their devotion to an ideal? Poor as the showing may be, when reckoned up in terms of capital and industry, which the Gaels have to make, yet not only the world, but the Celtic peoples themselves, are the better for their having offered what they had. So Caoilte commented to the King of Connacht, when the latter, in return for the entertainment and enlightenment which he had experienced while listening to Caoilte's tales, came to him with presents of gold and silver: "I do not need it, but you are the better for having offered it." The conception and portrayal of *beau ideals* of courtesy, modesty, and hospitality, which meet us in these tales from mediaeval Ireland, have few parallels in ancient or modern literatures. And they are all the more remarkable in that they are wholly free from the taint of artificiality and do not appear to have originated in the example which the one perfect man set for us twenty centuries ago. It is not the genial Patrick alone nor Caoilte, the representative of a banished order of things, who move and have their being in a consideration for others; but high and low, the king of Tara, the under kings of Munster, Leinster, Connacht, and Ulster, the hospitallers, the freeholders, the chance, roving youths, and even the elusive folk of the underworld, all seem inspired by the same code of ethics. And the qualities of this code which perhaps stand highest are generosity and delicacy of feeling. The former finds most perfect expression in Caoilte's eulogy of Finn: "Were but

the brown leaf of which the wood sheds from it gold,—were but the white billow silver—Finn would have given it all away." And the example par excellence of the latter, Patrick may have dreamed of meeting during his life time in the fifth century, but it surely remained for the fourteenth to embody in the lives of men. The king of Connacht's son Aed, having won six games of hurling unassisted, died from an excess of strenuousness. The mother in her unrestrained grief advised laying him in Patrick's bosom, but her husband Muiredach said such action were in his sight most reprehensible, unless indeed to the Saint himself as well it were acceptable. When Patrick saw the grief of the household and heard the keening of the women his head went out in compassion toward them, and blessing some water he let fall three drops into Aed's mouth, upon which Aed arose sound and whole. The lives of other saints and the more palpably ecclesiastical life of St. Patrick himself abound in wonders and miracles of the conventional sort wrought to order by the holy men, but in none of them are the deeds so beautifully human, so full of Christ-like compassion, as in the *Colloquy of the Ancients*.

Surely the man thus depicted is an embodiment of the best that Ireland produces: wherever he goes on his mission of sowing the faith, banishing devils and wizards, overthrowing idols and goblin images, raising up the righteous to follow in his steps, he remains invariably considerate, courteous, sympathetic, evincing a healthy, manly curiosity in the history of the past; never obtruding the church, yet never losing sight of the eternal. He stands fully representative of all that is fitting and becoming for an Irish saint and an Irish gentleman to do; and finally he is one who, if our story-teller can help it, shall have absolutely no cause for asking the question which history has lent an ear to many times since—is it a crime to have been born in Ireland.

Edward Coote Pinkney

WIGHTMAN F. MELTON

Professor of English in Emory College

I. BIOGRAPHICAL

Edward Coote Pinkney, seventh of the ten children of William and Ann Maria (Rogers) Pinkney, was born in London, October 1st, 1802. The Pinkney family had been in London six years when Edward was born. During this time, William Pinkney was a commissioner to England, appointed by Washington, to determine certain mercantile claims, under the seventh article of Jay's treaty.

When Edward was two years old the family returned to the United States, where for about a year William Pinkney was attorney general of Maryland. In April, 1806, the family returned to England, the father having been appointed minister extraordinary, with Monroe, who was at that time minister resident of the United States in London. On Monroe's departure for the United States, Pinkney succeeded him and occupied the position until 1811.

On November 24, 1810, William Pinkney wrote to President Madison, "The claims of my family to my professional exertions have been too long neglected." Feb. 28, 1811, terminated his service, and the family arrived in Annapolis in June, when Edward was about nine years old. In December of that year William Pinkney was appointed attorney general of the United States. This position he held until February, 1814. During this time Edward was a student in Baltimore College, and in St. Mary's College, Baltimore.

In 1816, William Pinkney was appointed minister to the court of St. Petersburg, with some special mission to be executed at Naples. It was in this year that Edward, at the age of fourteen, entered the United States Navy, from which he resigned in 1822, in his twentieth year.

Edward C. Pinkney was admitted to the bar, in Baltimore, in 1825, and the same year, October 12, was married to Miss Georgiana McCausland, daughter of Marcus McCausland, an Irish gentleman, who had settled in Baltimore some years before.

Pinkney's first literary work, "Rodolph—a Fragment," was published anonymously in 1823. In 1825 there appeared, in a thin, unpretentious volume, Pinkney's *Poems*, 1259 lines, which included "Rodolph," 706 lines, a total of twenty-one poems. In addition to these, there are two or three of his poems in the paper which he edited.

As a lawyer Pinkney was not successful. After two years of struggle and failure, he offered his services to the Mexican Navy. For some reason he was not assigned to a position, although it seems that his offer had been accepted. He returned to Baltimore, broken in health and spirit, to renew his fruitless struggle at the law.

About this time, in recognition of Pinkney's literary attainments, he was appointed professor of rhetoric and belles-lettres in the University of Maryland—a position without emolument.

In December, 1827, Pinkney was chosen editor of *The Marylander*, a political paper founded in the interest of John Quincy Adams. The first issue of the paper came out Wednesday, December 3rd, 1827. A brilliant editorial career seemed to be opening before Pinkney, but his health was already broken. He had to give up his editorial duties in the spring of 1828.

On Friday night, April 11, 1828, at ten minutes past ten o'clock, begging those about him not to weep, and assuring them that his death was a blessing, Edward Coote Pinkney expired peacefully. He was buried in the Unitarian Cemetery, near Baltimore. In May, 1872, his remains were moved to Greenmount Cemetery (Baltimore) where he now sleeps in the neighborhood of Sidney Lanier. Pinkney was survived by his wife and a son. Mrs. Pinkney was pleased to remember him as her "Poet-Husband."

II.

THE NAMES COOTE AND PINKNEY.

Miss Louise Manly (*Southern Literature*, Richmond, 1895, p. 231, note) gives the statement of Charles Weathers Bump who saw the name *Coote* in the register of Pinkney's baptism. Poe ("Virginia Edition," vol. xiv, p. 280) uses the name *Coate*; but in the General Index (vol. xvi, p. 412,) it is *Cotes*, which may be a typographical error. When we recall the name of the celebrated Charles Cotesworth Pinkney of South Carolina, that Cotes-

worth was a family name in Durham, England, that the Pinkneys (Pinckneys) are of English origin, and that Edward was born in London, it seems almost possible that the middle name may be *Cotes*, an abbreviation.

The Marylander was edited by Edward C. Pinkney. Vol. I, No. 39 (April 16, 1828) contains the notice of the death of the editor, and a three-column article on his life. In this article the name *Coote* appears twice. (Frederick Pinkney, two years younger than Edward, was associated with him in the publication of *The Marylander*.) This article was copied the next day (April 17, 1828) in the *Baltimore American and Commercial Daily Advertiser* with the name *Coote* unchanged.

A personal letter, September 12, 1910, from Sir Eyre Coote, Damersham, Salisbury, England, gives additional interesting information concerning the name *Coote*. He says, "The probability is that the baptismal story is correct, for these reasons:

1. The name *Coote* is far more uncommon than *Coate*, and it is unlikely that a mistake would have been made;

2. In 1802, [the year of Edward Pinkney's birth], the name *Coote* was very much before the public, owing to the Egyptian Expedition—although not necessarily more so than . . . Hutchinson, Moore, or Craddock.

3. Sir Eyre Coote had served as a youth all through the American War—and was one of those (he was then a captain) who surrendered with Cornwallis at Yorktown—1781.

4. He was, therefore, a prisoner for some time in America—and of course it is quite possible that he may have formed a friendship with Mr. Pinkney 'the elder' at that period, when they were both quite young men, and that this friendship may have continued when they were both men of 'distinction' in London—1802."

The name *Coote* figures, furthermore, in American history. Richard, son of Richard Coote, earl of Colloony, created earl of Ballamont in 1689, was made Governor of New England and of New York in 1699. He was also made admiral, captured Captain Kidd, the famous pirate, and died in 1700 in America.

Since the name *Coote* appears in the baptismal register, since the name is twice so spelled in the memorial printed two days after the death of the editor, and in his own paper,—on which his

brother Frederick assisted,—and since the conjectures of Sir Eyre Coote are plausible and in keeping with known facts, we may as well accept the name *Coote*.

Pinkney. The Maryland family spell the name P-i-n-k-n-e-y; the Carolinians, P-i-n-c-k-n-e-y. Edgar Allan Poe ("Virginia Edition," vol. xvi., p. 41) gives to the Marylander the Carolina spelling, which seems to have been the original English form, as *The Atheneum* (vol. 8, p. 149—1825) agrees with Poe in spelling the Marylander's name. Furthermore, William Pinkney, father of the poet, writing from his post in London (See *The Life of William Pinkney*, by his nephew, Rev. William Pinkney, D. D., New York, 1853, p. 24), speaks of Thomas Pinckney, brother of Charles Cotesworth Pinckney, as "Our namesake (the late American Minister) is an amiable man." In the same book, p. 12, William Pinkney the nephew, speaks of his ancestry as the same that gave to Carolina some of her most brilliant and illustrious sons."

III.

THE INFLUENCE OF PINKNEY'S PRECURSORS.

With all Pinkney's Romanticism, his verse abounds in classical touches. In his own footnotes he refers to Herodotus, Suetonius, and Horace. Prof. W. L. Weber (*The Southern Poets*; New York, 1901, p. 206, note) calls attention to a thought from Ovid (VIII, 13) in line 22 of "A Picture Song." The "Prologue—Delivered at a Greek Benefit, in Baltimore,—1823," reveals Pinkney's attitude toward

"The place of gods whom yet our hearts adore."

Some portion of the six years spent by Pinkney in the United States Navy, he was cruising in the Mediterranean Sea, and saw and learned to love Italy. In "A Health," "The Indian Bride," and some of the shorter pieces, there are striking similarities to Petrarch. Pinkney may not have been able to read Italian, but he could have become familiar with Petrarch's poem through "Totel's Miscellany," or other translations. The Italian spirit and the Petrarch-touch are unmistakable. Lines in evidence of this might readily be cited for comparison.

Pinkney's indebtedness to Shakespeare is slight. In "Lines from the Port-Folio of H—," No. I., 15-17:

"A strange and ominous belief,
That in the spring-time the yellow leaf
Had fallen on my hours,"

is suggested by "Macbeth," V., iii, 22, 23:

"My way of life
Is fall'n into the sear, the yellow leaf."

In Pinkney's "Lines from the Port-Folio of H—," No. II, 46-48, there is the following echo of Hamlet's soliloquy:

"Star of that sea—its current bear
My vessel to that bourne,
Whence neither busy voyager
Nor pilgrim may return."

The opening line of "Macbeth," and line 268 of Pinkney's "Rodolph," Part II., are enough alike:

"Macbeth,"—"When shall we three meet again?"
"Rodolph,"—"When shall we two meet again?"

In the following there is a strong trace of the influence either of Marlowe or of one of his several imitators:

Marlowe,—*"Come live with me and be my love,
And we will all the pleasures prove."*

Pinkney,—*"Come thou * * *
Where we may through all pleasures rove
And live like votaries of love."*

—"Rodolph," II., 215-220.

It is generally understood that Pinkney's "Italy" is in imitation of Mignon's song in Goethe's *Wilhelm Meister*. It would be interesting to know the exact date of the writing of "Italy," for the *North American Review* (vol. xix—October, 1824) contains some twenty-one pages (303-325) on the "Life and Genius of Goethe." A number of his poems are translated,—among them "Mignon." Pages 337-389 are devoted to "Italian Narrative Poetry." It was the January number of the *Review*, the same year, that contained a review of Pinkney's "Rodolph."

Pinkney quotes Fletcher and Byron, introductory to "Rodolph," and his "Italy" contains at least one line (8) which has a prototype in Byron's "Bride of Abydos," and none in "Mignon"; furthermore, the spirit of "Rodolph" is quite suggestive of Byron-influence.

Pinkney quotes Wordsworth: "She was a phantom of delight, etc.," introductory to the poem "To ———," beginning, "Accept

this portraiture of thee." "The Indian Bride," aside from being a subject dear to the mind of Wordsworth, contains an expression (lines 67-68) distinctly Wordsworthian:

"The world, or all they know of it,
Is theirs."

A Wordsworth padding-note is to be found in "Rodolph," Part II., lines 86,87:

"What boots it to protract the verse
In which his story I rehearse?"

Wordsworth's "Peter Bell," line 285,

"The grass you almost hear it growing,"

may have suggested to Pinkney,

"The low strange hum of herbage growing,"

which is line nineteen of the poem, "To ———," beginning:
" 'Twas eve; the broadly shining sun."

IV.

PINKNEY'S INFLUENCE UPON OTHERS.

To work out Pinkney's influence upon others would be almost impossible, and possibly not worth while. The following observations are offered for the interest they deserve.

Compare the movement of Pinkney's "Evergreens," and Tennyson's "Brook." Pinkney,

"When Summer's sunny hues adorn
Sky, forest, hill and meadow,
The foliage of the evergreens,
In contrast casts a shadow."

Tennyson,

"With many a curve my banks I fret
By many a field and fallow,
And many a fairy foreland set
With willow-weed and mallow."

It may be folly to suggest that robust, old English, Browning was at all influenced by the frail, young American, Pinkney, but there is haunting similarity between three of their thoughts. Let it be remembered, however, that Pinkney's verse was read and appreciated in England. *The Atheneum*, vol. 8 (1835), p. 149, says, "One or two of the prettiest things in American poetry were written by Edward C. Pinkney."

Pinkney,

"Exchanging lustre with the sun,
A part of day she strays—
A glancing, living, human smile,
On nature's face she plays."

—"The Indian's Bride," lines 15-18.

Browning,

"Sky—what a scowl of cloud
Till, near and far,
Ray on ray split the shroud:
Splendid, a star!

Till God's own smile came out:
That was thy face!"

—"Apparitions," lines 4-7, 11, 12.

Again compare:

Pinkney,

"A music visible, a light
Like lamps unto an infant's sight—
A temple of celestial soul,
Too lovely for aught ill to mar,
Which love from beauty's planet stole,
The morn and evening star."

—"Rodolph," Part II., lines 209-214.

Browning,

"But here is the finger of God, a flash of the will that can,
Existent behind all laws, that made them, and, lo, they are!
And I know not, save in this, such gift be allowed to man,
That out of three sounds he frame, not a fourth sound, but a star."

—"Abt Vogler," lines 49-52.

And again:

Pinkney,

"Let
My thoughtful clay all thought forget.
Suffer no sparkles of hot pain
Among mine ashes to remain."

—"Rodolph," Part II., lines 325-329.

Browning,

"Finished and finite clods, untroubled by a spark."

—"Rabbi Ben Ezra," line 18,

Lowell's "The Vision of Sir Launfal," lines 250, 252:

"Sir Launfal turns from his own hard gate

An old, bent man, worn out and frail,"

suggests the possibility of the author's familiarity with Pinkney's "Rodolph," Part I, lines 35, 36, 38:

"At such a season, his domain
The lord at last arrived again,

• • • • •

Grown old in heart, infirm in frame."

Professor W. L. Weber calls attention (*The Southern Poets*), to the similarity in thought between Pinkney's "two shaded crystal wells" ("A Picture Song"), and Lanier's "shining depths" of "my two springs" ("My Springs").

V.

PINKNEY'S PROSE, HIS FINAL POEM.

As editor of *The Marylander*, Pinkney gave himself up, almost entirely, to the writing of prose, and prose of a political rather than of a purely literary nature. He boldly exposed falsehood, and in a dignified manner defended the truth.

The only literary note of any significance appearing in *The Marylander* under Edward C. Pinkney's editorship is in the first number. Under the heading, "Literary," there is an essay entitled "The New Frankenstein," in which the author (probably Edward C. Pinkney) says that "Frankenstein, or the New Prometheus," is not the work of Mrs. Shelley, "widow of the eccentric Percy B., but seems indubitably the composition of one of the masculine gender."

To a would-be contributor of verse, Pinkney naïvely remarks, "We are sorry to be under the necessity of declining to publish the verses of R. D., as well as of other poetical contributors. In doing so, we can do them no disservice."

The Marylander, Vol. I, Nos. 1, 8, and 29, contains three poems, at least two of which are by Pinkney. The first, an unsigned, mediocre "Song," of three stanzas, tells of the smile, the frown, and the blush of some fair face. The second, signed "Editor," is a very pretty song, of two stanzas, sixteen lines, inspired by the "cheerful, auspicious eyes" of some "maiden fair." The third, by "Edw. C. Pinkney," contains forty-eight lines, of which the last two are blank. The title of the poem is "The Beauty—a Fragment."

The brief and brilliant poetical career of Edward Coote Pinkney began with "Rodolph—a Fragment," and ended with "The Beauty—a Fragment." The latter poem, printed one month, less one day, before the death of the author, concludes with the lines:

"Enough;—on graver subjects I have mused
Too much, as was my pleasure, pain, or duty—
My heart and harp have been too long disused,
To celebrate aright this perfect beauty.

• • • • •
• • • • •

Pinkney's verse, though light and airy, will live because of its pure beauty and the universality of its appeal. He is our Petrarch and our Carew, standing at, or near, the head of the limited list of American cavalier lyrists. What a pity his last year was spent in grinding out, in "pain, or duty," political prose, when like Sidney Lanier, he might have been singing himself into the very heavens, beside some "crystal star."

The Compromise Tariff of 1833 — A Study in Practical Politics

FREDERICK L. NUSSBAUM

Cornell University

Perhaps no single phase of the tariff controversy which has formed from the beginning an almost constant element in our national politics has been more fully treated than the tariff of 1833. Its development, however, before it was proposed in the Senate on February 12, 1833, and the political combinations and maneuvers which determined its final character and its passage have been generally neglected by historians and biographers.

The election of 1832 seemed to sweep away the very foundations of Clay's political strength and to reduce him to political insignificance. The people had apparently disapproved all the measures which had been distinctively his—the recharter of the bank, internal improvements, and the American System. The political consequences of nullification, however, soon afforded him an opportunity again to act in a leading role. Although the protective system of which he had been the champion for so many years was at the root of the controversy, the reputation which he had won in 1820 as a peacemaker here stood him in good stead.

The situation, complicated as it was by the militant attitude of the President and of the nullifiers, and the pacific attitude of the country at large, was one which offered an exceptional opportunity to a compromiser. In the "co-states" the nullification movement had aroused but little sympathy and had secured from none of them even the unsubstantial comfort of moral support. On the other hand, there was a widespread conviction that the tariff was admittedly unjust, and that the previous protests of the South had not received the consideration to which they were entitled.

From the President, nullification had met with opposition of unexpected firmness. His annual message had seemed to justify, in a degree, the opposition of South Carolina to the tariff. His course in the Indian troubles in Georgia had indicated a decided sympathy with the theory of states' rights. But any hope of en-

couragement or support from Jackson was at once destroyed by his instructions to the collector of customs at Charleston and his Proclamation of December 11, 1832, which placed the federal authority squarely athwart any actual steps that might be taken to enforce the Ordinance of Nullification. Hayne issued a counter-proclamation attacking the President's motives and appealing anew to the "primary allegiance" of the people of the state. Irritated by the truculent and condemnatory tone of this proclamation, Jackson determined to push matters with a strong hand, and accordingly, in a special message, recommended what came to be known as the Force Bill, or in the vivid phrase of the nullifiers, as the Bloody Bill.

Confronted with the unpleasant prospect of finding themselves in opposition to the armed force of the federal government, the leaders of the nullification movement began to disavow any intention of resorting to violence. Calhoun "gave assurances that there should be no bloodshed—that every possible question should be tried by the courts and juries." McDuffie, in "An Address to the People of the United States," said, "I utterly deny and disclaim on the part of South Carolina any design to resist the laws of the United States by force If the government obtain judgments in the Federal courts, the marshal will be permitted to enforce them peaceably." A few days later, the ordinance of nullification itself, an act emanating from the sovereignty of the state, was quietly suspended by a mass meeting of citizens in Charleston, without any official authority, but under the leadership of Hayne and Hamilton, on the ground that they "had seen with lively satisfaction, not only indications of a beneficial modification of the tariff, but the expression of sentiments in both branches of Congress, as well as in other quarters, auspicious to the peace and harmony of the Union," which should be met by a corresponding disposition on the part of the state.

The "beneficial modification of the tariff" referred to was the Verplanck bill, which the opponents of protection had introduced early in the session. The bill proposed a general reduction of the tariff, with the exception of the iron schedule, to a level of less than twenty per cent., the whole reduction to be accomplished by March 2, 1835. The debate which ensued was generally favorable to the bill, although it was amended out of all recogni-

tion and its opponents very skilfully hindered its progress by all the means of obstruction in their power. Webster was certain that the measure would pass the House if the President so desired, but, he writes, "I do not believe the President himself wishes the bill to pass." The Van Burenites, however, were supporting it. At the end of January, Adams was of the opinion that its passage in the House could not be prevented. The Senate was expected to disapprove it.

It was in such a juncture of affairs that Clay proposed in the Senate a tariff measure which was designed to quiet the controversy and to remove the tariff from politics for at least nine years. It embodied the main feature of McLane's proposal of the year before which Clay had declared meant the destruction of the American System—a gradual reduction of all duties until in 1842 a level of twenty per cent should be reached, after which time all duties were to be uniform.

Clay had come to Washington with a plan in his mind which differed considerably from the bill which he presented. The first part of this plan provided that the existing tariff laws should remain in force until March 3, 1840, and that then all should be and thereby were repealed. The second section provided that, until March 3, 1840, no higher or other duties than those existing in 1832 should be laid; and from and after the aforesaid day, all duties collected upon any article whatever of foreign importation should be equal, according to the value thereof, and solely for the purpose and with the intent of providing such revenue as might be necessary to an economical expenditure of the government, "without regard to the protection or encouragement of any branch of domestic industry whatever." A more complete surrender of the protective principle can scarcely be imagined. The plan was communicated to Webster, and, at another time, to Appleton and Davis, and to other protectionists, but all expressed their decided opposition to any such measure.

Benton, apparently on the authority of Letcher himself, credits Letcher with having first suggested to Clay the idea of a compromise, and says that the proposal was submitted by him to Calhoun. The latter expressed a decided objection to certain parts of the bill, but suggested that if Clay knew his reasons for these objections, he would give up the objectionable features of

the bill. Accordingly an interview between Clay and Calhoun was arranged; but Clay remained inflexible, saying that if he gave up the parts of the bill objected to, it could not be passed, and that it would be better to give it up at once. Accordingly, the project was dropped. Jackson was sounded by Letcher on the subject of a compromise, but refused to enter into any negotiations.

On the same authority, Benton continues the story as follows:

"Mr. Josiah S. Johnson, senator from Louisiana, came to his [Letcher's] room in the night, after he had gone to bed—and informed him of what he had just learned:—which was, that General Jackson would admit of no further delay, and was determined to take at once a decided course with Mr. Calhoun (an arrest and trial for high treason being understood). Mr. Johnson deemed it of the utmost moment that Mr. Calhoun should be instantly warned of his danger; and urged Mr. Letcher to go and apprise him. He went—found Mr. Calhoun in bed—was admitted to him—informed him. 'He was evidently disturbed.'"

Whatever may be thought of the veracity of this story as a whole it is noteworthy that Clay's activity in regard to the tariff began anew in the latter part of January, shortly after Jackson's attitude became most aggressive.

Meanwhile, discouraged by the apparent impossibility of securing a controlling position, and still smarting from the disappointment of his presidential ambitions, Clay became very pessimistic in regard to the whole political situation. He wrote to his intimate friend Francis Brooke, "I have been thinking of some settlement of that question [the tariff], but I have not entirely matured any plan; and if I had, I am not satisfied that it would be expedient to offer it. Any plan that I might offer would be instantly opposed because I offered it. Sometimes I have thought that, considering how I have been, and still am treated by both parties (the Tariff and the anti-Tariff), I would leave them to fight it out as well as they can." But he was determined not to give way to such personal feelings, even though he was "far from being sanguine that he had the power to effect anything." In a second letter to Brooke, six days later, he expressed his disgust at the manner in which the Van Buren partisans were shaping the policy of the administration with a view to Van Buren's succession in 1836. In the existing state of his own political circumstances, he doubted whether he could be of

any use. "That doubt springs, he wrote, from the facts that there is an organized party ready to denounce any proposition that I could make because I made it, and that the other party, (the anti-Tariff party), contained many individuals in whose view the great interests, and even the peace of the country were subordinate to the success of the designated successor of the present chief magistrate. It is mortifying—inexpressibly disgusting—to find that considerations affecting an election now four years distant, influence the fate of great questions of immediate interest more than all the reasons and arguments which intimately appertain to those questions. If, for example, the tariff bill now before the house should be lost, its defeat will be owing to two causes—1st, the apprehension of Mr. Van Buren's friends, that if it passes Mr. Calhoun will rise again as the successful vindicator of Southern rights; and 2nd, its passage might prevent the President from exercising certain vengeful passions which he wishes to gratify on South Carolina. And if it passes, its passage may be attributed to the desire of these same friends of Mr. Van Buren to secure Southern votes."

From these two letters, it is evident that Clay had clearly before his mind a certain isolation from his own party. Benton suggests that both Clay and Calhoun were anxious to sever their connections with the tariff question, as they had found it "un-availing either to friends or foes. Mr. Clay, its champion, could not become president upon its support. Mr. Calhoun, its antagonist, could not become president upon its opposition." The *Globe* and the *New York Standard* declared that Clay was perfectly justified in abandoning the manufacturers since they could not perform their part of the alliance and elect him president. That there was within the party an effort to relegate Clay to the empty honors of retirement is shown by an interesting letter of Rufus Choate to Webster, dated August 12, 1833. "It is hardly delicate, he writes, for an obvious reason, to say so, but it is also perfectly true, that in speaking of Mr. Clay at a political dinner, I alluded to him as a retired statesman, and toasted him as the setting sun—in Garrick's common lines. I made no allusion whatever to his coming forward again, and the impression made upon every hearer would be decidedly, that I considered him to have withdrawn from active statemanship, and an unsuccessful

competition—and wished to do him justice as a character of history.

The reopening of negotiations between Clay and Calhoun must have come soon after the last letter to Brooke, if not earlier. Although Brooke was a close friend, the fact that the compromise proposal was not communicated to him until after it had been made public seems to indicate that he did not possess Clay's entire confidence, and suggests that the detachment which Clay professes to him in the letters quoted was not entirely genuine. Hints in various newspapers in regard to the compromise antedating the first letter to Brooke by several days, confirm this view of the matter.

It was the current belief that Jackson's anger had been thoroughly aroused by the resolutions of the South Carolina legislature, and that he would not hesitate, nay, that he was even eager to seize upon the first opportunity to execute the punishment of traitors upon the persons of the leaders of the nullification movement. In private conversations he had intimated more than once that he would not shrink from the first opportunity to arrest them. It was well known that his temperament would lead him to overleap any mere technical obstruction to the accomplishment of his purpose. Suddenly it was rumored that the object of certain expresses sent to South Carolina by the President was to order the arrest of General Hayne, the governor of the State, and that the same course was to be taken with Calhoun. Benton tells how information of the expected arrest was carried to Letcher late at night, and by Letcher forthwith to Calhoun, who was "evidently disturbed". Curtis, who gives John J. Crittenden as authority for his statement, says that it was in this attitude of affairs that Calhoun sought the interposition of Clay, and a second interview took place in the course of which an arrangement was made between the two.

Steps were at once taken to prepare the public mind for the unusual spectacle of an alliance between the chief of tariff makers and the chief of nullifiers. Clay was often invoked to come forward and again "save or serve" his country as he had done in the Missouri controversy. The *Richmond Inquirer* declared, "It is unnecessary to say that many an eye is now fixed on Henry Clay. He has the power to do this country much service at this crisis.

But will he? Yet if he should again mistake his true interest and glory, we still hope that we can save the country without him." The Richmond *Whig* called upon him to abandon the tariff party and save the Union. (This seems to have aroused the suspicion of J. Q. Adams: "What does this mean?", he writes in his diary.) Earlier the same paper had suggested that Clay and Calhoun were not after all so widely separated as they might seem to be on the main questions of the day, and would adjust the tariff. According to the New York *Standard*, this remarkable suggestion was made as early as January 11. "The Spy in Washington", a correspondent of the New York *Commercial Advertiser*, and otherwise known as the "the little man in specs", who was supposed to be in close touch with Clay, wrote, "He (Clay) probably holds in his hands the destinies of the nation. . . . I venture to predict that if either of these cases [civil war or separation] is presented to his mind, and it can only be averted by a partial surrender of a favorite system, he will, regardless of personal popularity, be one of the first to surrender on the altar of peace and concord, all that ambition or the pride of opinion could have excited in his bosom." The New York *Standard* noted the appearance of a breach between Webster and Calhoun, and asked what disposition was to be made of Clay, the other member of the "coalition". "Whether he is to continue the exclusive adjunct of the nullifier or of the tariff-champion, or to proffer himself, as report says, as the pretended pacificator of the present agitation, remains to be seen. It is very evident that his partisans, as well as those of Mr. Calhoun, have endeavored to pave the way for some such movement by representing New York and the New York delegation as exclusive and illiberal in relation to the tariff—as holding the power to calm the present excitement and to restore the country to tranquility, but as unwilling or backward to execute it, etc., etc." As early as January 21, the Washington correspondent of the Philadelphia *Inquirer* wrote, "I take pleasure in informing you that an accommodation of the difficulties with South Carolina is likely to take place immediately, and that the threatened effusion of blood will be avoided. Mr. Calhoun has informed Mr. Clay and his friends that if they will arrange a tariff that will gradually bring the receipts of the government within its expenditures, he will pledge the concurrence of South

Carolina and the withdrawal of the obnoxious ordinances. This proposition Mr. Clay and his friends have determined to accept for the prevention of bloodshed and the preservation of the Union."

In spite of these warnings, however, Clay's proposal took the country by surprise. Niles wrote, "Mr. Clay's new tariff project will be received like a crash of thunder in the winter season, and some will hardly trust the evidence of their senses on a first examination of it, so radical and sudden is the change of policy proposed." The element in the Whig party which was hostile to Clay condemned severely his apparent abandonment of his former views. A lobby was at once formed by the manufacturers to prevent the passage of the bill, but they were converted to its support by the consideration that it meant at least nine years of effectual protection, and the expectation that the sudden drop at the end of that time would result in an effective demand for the restoration of the protective system.

After a short debate over the propriety of initiating revenue legislation in the Senate, Clay had been granted leave to bring in his bill. It was promptly referred to a special committee of which Clay was chairman, the other members Calhoun, Webster, Clayton, Dallas, King, and Grundy—a selection made in the hope that any measure that could pass a committee so constituted would be certain to pass the Senate. The only change of importance that was made in committee modified the bill in favor of the protective principle. Clay's proposal had provided that after 1842, duties on all articles not on the free list should be equal. This provision was struck out, and another, explicitly admitting the right of discrimination below twenty per cent was inserted. This modification was probably the result of the influence of Clayton, who, as we shall see, exercised a commanding influence throughout the progress of the bill.

The committee divided, four in favor of the bill and three against it. Webster remained unalterably opposed to the measure and was supported by Dallas of Pennsylvania. Clayton, while inclined to support Clay, refused his assent in order to be free to secure a modification of the measure on the floor of the Senate. Thus Clay was left to be supported by Calhoun, Grundy, and King—the chief of the nullifiers and two anti-tariff men.

It seemed to Webster that "Clay was half sick of his own measure." It may well be that he regarded with much misgiving the character of the support he was receiving and the degree of separation from his old associates which it seemed to indicate. The measure was reported to the House February 19.

Immediately after the bill was reported to the Senate, Clay proposed an amendment embodying the principle of home valuation. Clayton, who, as has been noted, had withheld his assent to the bill in committee, had made this amendment the condition of his support. Calhoun objected to the amendment on constitutional grounds, and with the most imploring emphasis requested Clay to withdraw it. "According to his present impressions, he declared the objections to it were insurmountable; and that unless these were removed he should be compelled to vote against the whole bill, should the amendment be adopted." The manufacturers' lobby, however, determined to force Calhoun to vote for the amendment and for the bill in order to insure themselves against any attempt later on his part to disavow those parts of the compromise which were distasteful to him. Accordingly Clayton, who represented the manufacturers in the new alignment of forces, after getting a majority of the Senate to agree to vote with him to lay the bill on the table, if Calhoun should refuse to vote for the amendment, declared that if South Carolina would not accept the measure in the light of a concession made by the protectionists, he would refuse his support to the measure. He moved to lay the bill on the table. At the request of Bibb, however, the motion was withdrawn and the debate continued.

Many years later, Clayton explained to Nathan Sargent how he forced Calhoun to support the amendment. "The South Carolina senators were anxious that the bill should pass, but did not want to vote for the amendment,* while he was determined that they should, or that they might fight it out with "Old Hickory" as they could. Accordingly he got a majority of Senators to agree to vote to lay the bill on the table unless the Senators from South Carolina would agree to vote for the amendment.* Mr. Clay came to him and begged him to let them off. His reply was, 'No sir, I will not. I know, in your magnanimity, you would let them off; but I will not. If they can't vote for a bill that is to save their necks from a halter, their necks may stretch. They shall vote for it, or *it shall not pass.*'

"Mr. Clayton said that Mr. Miller, Mr. Calhoun's colleague came to him as the vote was about to be taken, and said he would vote for the amendment, but he wanted Mr. Calhoun should be let off. 'The very man', answered Mr. Clayton, 'of all others who *must* vote for the amendment* if the bill is to pass. And now', said Mr. Clayton, taking out his watch, 'at the end of fifteen minutes I shall move to lay the bill on the table unless within that time you inform me authoritatively that Mr. Calhoun will vote for it.'

"'He came', said Mr. Clayton, 'in about ten minutes and said Mr. Calhoun would vote for it. 'Very good', I answered, 'you have saved your necks from a halter.' I was master of that situation, and not Mr. Calhoun nor Mr. Clay.'"

This narrative, although almost incredible in itself, receives confirmation from several sources. Benton's account in the "Thirty Years' View" agrees with the main points of Sargent's story, while it differs sufficiently in detail to indicate that the two accounts were independent. The better known facts of the debate also fit in with Sargent's story. During the debate on the amendment Clayton repeatedly declared his intention of refusing his support to the bill unless the amendments were accepted. Furthermore, Calhoun actually did vote for the amendment after declaring that he would not vote for it. That this change of front was significant was noted at once by the *Globe*, but no attempt was made to explain it. In the third place, Calhoun attempted to give his vote on the amendment a special character by adding to it the condition that no valuation should be adopted which would make the duties unequal in different parts; and, secondly, that the duties themselves should not become an element in the valuation. This seems to indicate, as Benton suggests, that Calhoun's vote was forced and that he wished to leave a loophole for himself to escape full responsibility for it.

The position of the Van Buren party grew daily more embarrassing. The Verplanck bill had been supported by the New York school partly in the hope of winning for Van Buren the credit of

* Sargent makes the story refer to the vote on the bill. It is quite impossible that this should be the case, as Calhoun had already committed himself in favor of the measure by voting for it in committee and for the home valuation amendment on the floor of the Senate. It was only at the vote on the amendment that the events recounted could have occurred. I have therefore taken the liberty of modifying the story to conform to the facts by substituting "amendment" in three places for "bill."

"pacificating" the country; but owing to the drastic character of the bill, its progress in the house was very slow, and its ultimate passage quite uncertain. It had been amended out of all recognition, and even the leaders were at a loss to determine what was the most "expedient" attitude to take toward it. The Nullification Proclamation and the Force Bill message seemed certain to disrupt the party by alienating the states' rights wing. A more or less successful attempt had been made to fasten upon them the opprobrium of preventing a settlement of the difficulty. In order to avoid offending the southern wing of the party, the Van Buren leaders attempted to disavow the Force Bill as a party measure but, curiously enough, it was Webster who, by his insistence on the party responsibility for the measure, compelled them to give it their support and to effect its passage. Clay's proposal finally destroyed any hope that the Van Burenites may have had of commanding the situation and forced them to reshape their policy. It became absolutely necessary that they should support it as it was the only plan for settling the difficulties of the country that had any chance of success.

Jackson had attempted to stifle the Clay proposal at birth by keeping Clayton off the special committee, in order to give the Verplanck bill an opportunity to pass and to secure the credit of the settlement for his favorite. This having failed, the *Globe* pointed out in a long, evidently inspired article, the great activity of the administration in furthering the reduction of the tariff, and, in spite of the doubtful parentage of the bill then before the Senate, hoped that it would develop into a form that would be acceptable to all parties. "We are sure, moreover," the editorial continues, "that there is in no quarter a more earnest desire for the satisfactory adjustment of the whole subject than is entertained by the present administration." At a caucus of the Democratic party on the evening of February 24, it was decided to throw the support of the party in the House to Clay's bill.

In the House next day, Letcher, who had been intimately associated with Clay in the development of the compromise, proposed as an amendment to the Verplanck bill, which was then on its second reading, to strike out all but the enacting clause and to substitute for the body of the bill the measure which was then before the Senate, including the home valuation amendment. The

tariff men were taken by surprise, and, in spite of their protests, the substitution was immediately effected by a vote of one hundred five to seventy-one. Parliamentary objections were obviated by referring the bill to the committee of the whole with instructions to report the measure with the desired substitution. The next day the measure was passed by a similar majority and sent to the Senate, where it displaced the Senate bill. After a short debate in the Senate, the bill was passed March 1, 1833, by a majority of twenty-nine to sixteen.

It was remarked at the time that "the case of Mr. Clay's bill was the most extraordinary compromise on record. The parties to it give interpretations of its spirit and text diametrically opposite to each other; they receive it in a sense totally different." The Clay organs declared that Clay would be hailed by all virtuous men as the savior of his country. *The United States Telegraph* asserted that nullification had triumphed, that it alone had secured the reduction of the tariff. According to the *Globe*, the compromise relieved the administration of a painful duty, and had been brought about solely as a result of the energetic course of the President.

All the parties to the compromise, indeed, did secure from it substantial benefits. Clay, his reputation as the "Great Pacifier" renewed and strengthened, found himself firmly re-established in his leadership in the Whig party. Calhoun escaped the disastrous consequences of nullification pursued to the logical and otherwise almost inevitable issue of war. The whole movement had been mistimed, and the postponement which that error had made necessary had probably reduced the enthusiasm of the rank and file of Calhoun's followers to a low point. The Van Buren Democrats, on the other hand, evaded the unpopularity and hostility that would have been aroused against them in the South if they had been compelled to support Jackson in forcible maintenance of the law in South Carolina. The manufacturers, who had "flocked in crowds to Washington City, leaving home to stop the bill, arriving in Washington to promote it," received the assurance of steady and predeterminable conditions for at least nine years, and were positively benefited by the adoption of the principle of home valuation and the retention of the drawbacks at the rates of the old tariff. These drawbacks continued to be

paid for several years without reduction, amounting in effect to a large bounty on exports.

The more ardent advocates of protection were thoroughly discouraged. Matthew Carey, after a lifetime of service in the cause of protection, resigned the struggle, declaring that the American System had been abandoned, and that the lethargy and indifference of those most directly concerned made hope of its restoration vain. Niles expressed himself in substantial agreement with this declaration. Webster "stood before the country on the proposition that everything which had been found valuable in the protective system was abandoned by the bill."

The alliance between Clay and Calhoun was sealed by the election of Duff Green, of the *United States Telegraph*, and Gales & Seaton as printers to the House and Senate respectively. This alliance continued until the accession of Van Buren, shortly after which it was dissolved by the act of Calhoun. In spite of their wide divergence on this particular question, Webster and Clay continued to act in harmony.

Federal Initiative and Referendum*

LLOYD T. EVERETT,

Attorney at Law, Chevy Chase, Maryland

"Force and right are the governors of this world—force till right is ready," wrote Joubert in striking phrase The more primitive the society is, the larger is the place that force must have; the more enlightened it is, the more does right prevail

Is not human nature so constituted that the *tyranny of the majority* will always lead to reaction or to revolution? And is it not true that all reforms promoted by *force* and not by ideas have done more harm than good? If the answer to these questions that I get from a study of history be correct, then it is always foolish and wrong to attempt to run rough-shod over the minds or to bully the moral sense of men. (From Wm. P. Few's "Force and Right in the Government of the World," *SOUTH ATLANTIC QUARTERLY*, October, 1911, pp. 314-22; emphasis the writer's.)

Let us apply the foregoing to the history of these United States, to their past institutional crises, to their present political tendencies, and to their future prospects and possibilities. And first, note these crucial words, *force* and *tyranny of the majority*; the one the clumsy tool, the murderous weapon of offense, of the other.

Take three of the past great turning-points of American history—which are also three great milestones in the march of civilization, that tortuous course that so frequently doubles on itself ere getting definitely and permanently forward. What precipitated the Revolution of 1776, the war for American independence? The effort of the British *majority* to *enforce* its will in the matter of taxation upon the American minority. Again, what brought the United States to the brink of war among themselves in the Tariff-Nullification crisis of 1830-33? The threat of the northern majority to *enforce* its will, in the matter of taxation, upon the southern minority. The third instance: What desolated the land with war and destruction in 1861-65? The (successful) effort of this northern majority to *enforce* its will (again in the

* Mr. Everett makes a rather unexpected application of some paragraphs from an article by one of the editors of the *QUARTERLY*. Although some of the fundamental views presented in his paper are not in harmony with those which have won practical acceptance in our national life, his position will not be lacking in interest to our readers.—The Editors.

matter of taxation, disguised and obscured, but still a very real object) upon the southern minority.

And mark well these two facts. First: It was always the majority that precipitated, or nearly precipitated, the clash by resorting to, or by threatening, force, thus driving the minority to a like recourse only when that minority's peaceful remonstrances were unheeded. Second: Whenever force failed, progress, civilization was the gainer; when force triumphed, the shadow on the dial of progress went back. The American minority succeeded in 1776-83, and the world acquired the living principles of the Declaration of Independence, principles that might thereafter become obscured from time to time, but never lost. The Nullification episode ended in a sort of drawn battle; the tariff was scaled down as demanded by South Carolina, but the "Force Bill" was enacted by a large majority in Congress: thus the people had a valuable object-lesson in a present substantial peaceful triumph of a protesting minority (of which more later), yet dragon teeth were sown for a future gory harvest. In the war for southern independence the northern majority, through force, completely triumphed—and at Appomattox the march of peace and progress was stayed a century.

"No taxation without representation," pealed forth the Liberty Bell of 1776. And the principle was embodied in the federal constitution of thirteen years later, that marvelous institutional instrument of checks and balances formulated so carefully to protect the minority.

But in course of time we have found that minority representation, bare representation, is not sufficient. Representation alone will not defend the minority from an aggressive and determined majority; rather, as against such a majority will it serve only as an "apology for the injustice" of that majority's oppression, as pithily expressed by Hayne in his great reply to Webster. To like effect hear Grayson, in the ratifying convention of Virginia, when speaking in opposition to adoption of the federal constitution: "A small representation gives a pretense to injure and destroy."

By representation the minority is accorded the right to participate in the vote that decides the legislation which is to bind majority and minority alike. But, *where the majority vote decides*

absolutely, it is manifest that mere participation in the vote will not protect the minority from oppression. To constitute a real check in our boasted system of checks and balances, representation must be reinforced by *minority veto*; a veto qualified, of course, not absolute, if the majority is ultimately to rule, and yet a veto. For, "let it never be forgotten that, where the majority rules without restriction, the minority is the subject." *This qualified veto has been found in the initiative and in the referendum.* One after another of the United States is adopting one or both of these reforms; reforms adapted to both law-making and constitution-mending, as is coming to be more and more recognized. The initiative is already used in proposing both state laws and amendments to state constitutions. The referendum is used for halting state legislation, and it is now proposed, in some quarters, to bring it into play also for amending, by popular plebiscite construction, state constitutions.

The initiative protects against majority oppression in its negative form—harmful inaction; the referendum, against majority oppression in its positive form—harmful action or over-action.

Thus, a goodly portion of the people of a state wish a certain law or constitutional provision to be adopted, or at least that it be proposed to the electorate for that electorate's deciding action. The majority, or that majority's representation in the legislature, refuses or fails to enact such a law or to submit such a provision. Thereupon, a minority of the people of that state, a prescribed minor percentage of the voters, can demand and enforce submission of the desired law or constitutional provision, for adoption or rejection by the majority of the people after due discussion and deliberation. By this means, in the face of inaction by the majority, or a seeming majority, the minority *initiates* the desired addition to, or alteration of, the laws or the constitution and obliges the actual majority, as ultimately ascertained, to take action one way or the other on the proposal. Again, the majority, apparent or actual, proposes a certain law which is contrary to the interests or the inclinations of a portion of the community. This dissatisfied portion, if constituting any considerable minority, even, of the whole community, can arrest—veto—the legislation temporarily, and *refer* it to the community at large to determine, after full consideration, whether the recently enacted law shall stand or fall.

So the initiative and the referendum, each within its own sphere, is an effective (qualified) veto or negative, and a very real protection to the aggrieved minority. And this in a two-fold manner: first, a minor portion of the community is enabled to ascertain definitely whether an apparent majority behind the particular measure is a majority in fact; second, even in face of a clear and pronounced majority, that majority can be compelled to pause and reconsider the legislation at issue before finally deciding whether it is so desirable as to justify imposing it upon the objecting minority.*

This double-barreled check, the initiative and the referendum, is growing in favor in various of the United States in these early years of the twentieth century as a means of protection to the minority in *domestic or state affairs*. Now, *what corresponding check is there in federal affairs?* What and how effective a veto has the minority in this confederated republic, as George Washington denominated the United States under the constitution of 1787-9?

Be it remembered, that a *prime object in framing and adopting this federal constitution was the protection of minority rights*. This important fact was thus emphasized by Hayne in the great debate of 1830: "A written constitution was resorted to in this country as a great experiment for the purpose of ascertaining how far the rights of a minority could be secured against the encroachment of majorities—often acting under party excitement, and not unfrequently under the influence of strong interests. The moment that constitution was formed, the will of the majority ceased to be the law, except in cases that should be acknowledged by the parties to it [the several states] to be within the constitution, and to have been thereby submitted to their [the majority's] will." We find Madison, too, the "father of the constitution," while pleading in the Virginian convention for the accession of that state to the federal instrument, declaring: "But, on a candid examination of history, we shall find that turbulence, violence and *abuse of power by the majority* trampling on the rights of the minority, have produced factions and commotions which, in republics, have more frequently than any other cause produced despotism If we consider the peculiar situa-

* The recall is not here discussed, as it may be regarded rather as a means of protection for the majority against the minority.

tion of the United States, and what are the sources of that diversity of sentiment which pervades its inhabitants, we shall find great danger to fear that the same causes may terminate here in the same fatal effects which they produced in those republics. This danger ought to be wisely guarded against. Perhaps, in the progress of this discussion, it will appear that the only possible remedy for those evils and means of preserving and protecting the principles of republicanism will be found in that very system [the proposed federal constitution of 1787] which is now exclaimed against as the parent of oppression."

Now, in answer to our query above, both an initiative and a referendum are provided by the constitution of the United States.

First, as to the federal initiative. Amendments of the federal compact may be formally and authoritatively proposed—initiated—by a prescribed proportion of the whole number of the states, or of the membership of the Congress. But it requires, not, as in the other cases of the initiative above considered, a specified minority to thus formally propose an amendment to the federal constitution, but a majority (and a two-thirds majority, at that) of either the two houses of the Congress or of the whole number of the states, and then three-fourths of the states to adopt the amendment when thus laboriously proposed. This, then, is no real, adequate defense for the minority, as was long since pointed out by Hayne. "It has been asked," said Hayne, "Why not compel a state objecting to the constitutionality of a law, to appeal to her sister states, by a proposition to amend the constitution? . . . If a majority of both houses of Congress should from any motive, be induced, deliberately, to exercise 'powers not granted,' what prospect would there be of 'arresting the progress of the evil' by a vote of three-fourths of the states? But the constitution does not permit a minority to submit to the people a proposition for an amendment to the constitution."

Clearly, Hayne was right. As if in recognition of this, and to bring the federal initiative into harmony with the prevailing conception of the principle of the initiative generally, as an instrument of protection for the minority, is the pending "gateway amendment" to the constitution of the United States. This is the proposal introduced by Senator LaFollette to facilitate the means of amending the instrument in the future. It provides that

"The Congress, whenever a majority of both houses shall deem it necessary, *or on application of ten states* [less than one-fourth of the whole number] by resolution adopted in each by the Legislature thereof or by a majority of the electors voting thereon, shall propose amendments to this constitution to be submitted in each of the several states to the electors qualified to vote for the election of Representatives, and the vote shall be taken at the next ensuing election of Representatives in such manner as the Congress prescribes. And if in a majority of the states a majority of the electors voting approve the proposed amendments, and if a majority of all the electors voting also approve the proposed amendments, they shall be valid to all intents and purposes as part of this constitution."

If adopted, this gateway amendment will conserve the true conception of the initiative by giving to a minority of the states the power to compel action one way or the other on the part of the majority on desired alterations in the federal charter. (Whether or not the latter part of this proposed amendment, rendering easier the actual adoption of future amendments thus initiated, is desirable for the peculiar circumstances of a leagued sovereignty of numerous and extensive states of diversified interests and varying local conditions, is another question and one not concerning us here.) But, we repeat, until such a "gateway amendment" for submitting future amendments be adopted, the federal constitution leaves us with no true minority initiative to protect against *negative* oppression by the majority, the oppression of inaction.

What correspondent protection is there, in our federal system, from *positive* majority oppression, the oppression of action or over-action? What have we in the form or substance of a federal referendum?

Suppose a majority of the states and of the people of all the states enact legislation regarded by a minority, not merely as injurious and oppressive to them, but as positively unconstitutional and hence needing no constitutional amendment to be prohibited. What recourse has that minority? Why, says someone, nothing easier. Let the Supreme Court of the United States pass on the matter in a test case, and decide the question of constitutionality. So? But does that Supreme Court necessarily represent that mi-

nority? Does it in any event interpose its veto *avowedly on behalf of the aggrieved weaker faction?* For remember, it is a (qualified) veto by and for the particular complaining minority, which we are seeking. May not the supreme bench, just as likely, represent the majority whose acts are complained of? Most assuredly. It has been pointed out by Mr. Powell that it was Lincoln's own appointees to the federal supreme court who turned the scale in deciding in favor of the validity of Lincoln's blockade of the southern ports. Besides all of which objections, it is earnestly contended by many students of American constitutional law that the federal judiciary, a co-ordinate part of the creature central government, has no power to determine questions of sovereign rights and constitutional powers *so as to bind the sovereign members of this confederated republic.*

There is much solid support for this contention. It was fourteen years after the government under the constitution of 1787-9 was established, before its own alleged right to avoid or nullify a law of Congress as unconstitutional was asserted by the federal supreme court. This was in the oft mentioned case of *Marbury vs. Madison*, decided in 1803, John Marshall as chief justice delivering the opinion of the court.

Furthermore, the question directly passed on in *Marbury vs. Madison* was as to the power of the federal courts to determine the constitutionality of a law *as directly affecting those courts themselves.* Hence, it may be urged that all that was there said by the court concerning such an alleged power of the federal courts as to legislation in general, was beside the question at issue and merely obiter dictum. (Jefferson, at the time, expressed this criticism of obiter or extra-judiciality, although on a different ground). More than half a century passed after *Marbury vs. Madison*, it is thought, before the federal supreme court actually nullified, as unconstitutional, a law of Congress not dealing directly with the federal judiciary. This was in the *Dred Scott* decision.

But what does the constitution itself say? It provides (in Article III, section 2) that "The judicial power shall extend to all cases, *in Law and Equity*, arising under this constitution, the laws of the United States, and treaties made, or which shall be made, under their authority. . . ." It says again (Article VI,

clause 2): "This constitution, and the laws of the United States which shall be *made in pursuance thereof*; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the constitution or laws of any state to the contrary notwithstanding." And the constitution says further, in the 10th article of the amendments or additions (what would have been equally true without such express declaration): "The powers not delegated to the United States by the constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people."

Now, questions of sovereign rights and powers are not the subjects of suits in law and equity. And the records left us of the debates and proceedings in the convention that framed the federal constitution make it clear that it was not the intention of the members of that convention that the creature central court should be given this awful power over the creator states. Madison, in his "notes" of the federal convention, tells us that:

"Dr. Johnson moved to insert 'this constitution and the' before the word 'laws'." Whereupon "James Madison doubted whether it was not going too far to extend the jurisdiction of the [federal supreme] court generally to cases arising under the constitution, and whether it ought not to be *limited to cases of a judiciary nature*. The right of expounding the constitution in cases not of this nature ought not to be given to that department.

"The motion of Dr. Johnson was agreed to, nem. con., *it being generally supposed that the jurisdiction given was constructively limited to cases of a judiciary nature.*"

As if to make sure this "general supposition," and to place it beyond a peradventure, the convention afterward inserted the words "in law and equity," so that, as finally framed and adopted, this jurisdictional clause reads as above given.

If not the Supreme Court of the United States, what tribunal has this power of ultimate decision? Is there no final tribunal to determine disputed questions of constitutional powers and, pending such determination, is there no veto for and by the aggrieved minority? Yes, there is—and this veto has, in our past history, been exercised by the federal minority; *peacefully and successfully exercised*.

In 1832 the people of South Carolina and other southern states were much dissatisfied with the federal tariff laws. They claimed that these laws were "protective" to the manufacturers of the North only, and destructive to the planters of the South. They contended, further, that these laws, in so far as they were enacted for "protection" and not for revenue, amounted to unconstitutional taxation, pure and simple. The people of these southern states, like their patriot sires of 1776, had complained and protested for years against such unconstitutional taxation. For years the northern majority—like the British majority of sixty years before—had disregarded their complaints and protests. The other southern states continued to complain and protest. South Carolina *acted*. She passed her famous Ordinance of Nullification which declared that the "protective" tariff laws of Congress were unconstitutional, hence null and void, and that these laws, within the confines of the sovereign state of South Carolina, should no longer be enforced from the date the ordinance was to go into effect, *unless and until* three-fourths of the states (the amending power, under the provisions of the federal constitution) should decide otherwise by according to Congress the disputed right. And her Legislature, under those provisions (Article V of the constitution) sent forth South Carolina's call for a general convention of the states to deliberate on this question. Here was the minority or state veto; here, the state or federal referendum.

The North seethed and stormed; President Jackson thundered and threatened. South Carolina stood firm. The northern majority, to back up its stormings, passed the Force Bill of 1833—but it also passed the Clay Compromise tariff that scaled down the tariff rates to meet South Carolina's demands.

State veto was effective—bloodlessly so—without an actual recourse (though invited by South Carolina) to federal referendum. The referendum was not needed, but only because the veto was heeded and the law, thus conditionally or qualifiedly vetoed by the minority, was repealed in deference thereto by the majority. Further, the viper of extortionate "protection" was scotched, and scotched so badly that it was not till a third of a century later that it again raised its head, and then only by a wily flank move whereby, under cover of a pseudo-philanthropic and "moral" crusade that precipitated a cruel war of aggression and conquest, it

was revived under the specious guise of a "war revenue measure."

Jackson, Webster and the northern majority stood ready to appeal to the sword; Hayne, Calhoun and South Carolina (the minority) appealed to a convention of the states. Governor Hamilton, in his address to the Legislature of South Carolina, said: "We claim that our remedy [nullification, or state veto, subject to this federal referendum] is essentially of a *pacific* character. . . To. . . the ultimate arbitrament of our sister states, in a general convention assembled, on the disputed powers, we look with confidence for an adjustment of this painful controversy." And in Governor Hayne's inaugural address we read: "She [South Carolina] has, therefore, resolved to stand upon her rights—and it is for her sister states now to determine what is to be done in this emergency. She has announced to them her anxious desire that this controversy shall be *amicably adjusted*, either by a satisfactory modification of the tariff, or by a *reference* of the whole subject to a convention of all the states."

Carolina's champions of this period were but speaking the language of Jefferson a third of a century before. In his draft of the Kentucky Resolutions Jefferson had said: ". . . that every state has a natural right in cases not within the compact (*casus non foederis*) to nullify of their own authority, all assumptions of power by others within their limits, that without this right they would be under the dominion, absolute and unlimited, of whosoever might exercise this right of judgment for them: that nevertheless this commonwealth from motives of regard and respect for its co-states has wished to communicate with them on the subject; that with them alone it is proper to communicate, they alone being parties to the compact, and solely authorized to judge in the last resort of the powers exercised under it; Congress being not a party, but merely the creature of the compact and subject as to its assumptions of power to the final judgment of those by whom and for whose use itself and its powers were all created and modified. . . ." A few years later we find Jefferson writing to Dr. Priestley: "This peaceable and legitimate resource [a general convention of the states], to which we are in the habit of implicit obedience, *superseding all appeal to force*, and being always within our reach, shows a precious principle of self-preservation in our composition, till a change of circumstances

shall take place, which is not within prospect at any definite period."

The issue involved was, as declared by Calhoun at the time "a contest between power and liberty"; the world-old struggle of defensive, institutional liberty against encroaching, insatiable power. If the federal supreme court decide against you, chorused Webster and Jackson, in substance, and, if the Southern minority can not obtain an amendment of the federal constitution, to be first submitted and then adopted, all at the hands of that majority whose own actions are the subject-matter of the dispute, then the minority's only alternative to abject submission is—revolution by force of arms, with its penalty of treason in case of failure. Our remedy is a constitutional one, said Hayne and Calhoun, in reply; and as peaceable as constitutional: the gentleman's remedy of revolution could be had just as well without a constitution as with one.

Now, mark this: the majority in this instance, whose action was deemed tyrannical and oppressive to the minority, was a *sectional majority*. In a confederated republic of such vast bounds, such varied topographical and climatic conditions, such conflicting local and sectional interests, an oppressive sectional majority is liable to arise again. To some degree it exists and is felt all the time. When its oppression becomes acute there must be, in the interest of *justice and peace*, a minority veto subject to a majority referendum. The individual or popular veto and referendum in state affairs is now growing in favor as a practicable remedy. Its counterpart, state veto and states or federal referendum in federal affairs, has already been tried and found effective and *peaceful* in its workings. But it seems nowadays to be largely overlooked as an existing, available remedy. In its revival or active recognition and exercise is the salvation of the states against federal usurpation and tyranny; equally so against Congressional legislation oppressive of a minority section as against the intolerable interference with the functions of a sovereign state by a federal court's insolent abuse of the power of injunctions. Without such recognition and exercise there is no sure and *peaceable* redress for the oppressed state, for the hapless and helpless sectional minority.

Another thought: how pitiable a spectacle if a sovereign, creator state must submit questions of disputed sovereignty and exercise of sovereign rights for final and irreversible determination to a bench of three men (the majority of a quorum of the federal supreme court), themselves but appointees of the executive of the creature government. How much more consonant with her dignity for the state to appeal in the true spirit of Magna Charta to the judgment of her peers in general convention assembled.

The beneficent working of this state veto and federal referendum, if adhered to, is thus depicted by Calhoun in his "Address to the People of South Carolina":

"Its [the judiciary's] powers are judicial, and not political, and are expressly confined by the constitution 'to all cases in law and equity arising under this constitution, the laws of the United States, and the treaties made, or which shall be made, under its authority,' and which I have high authority in asserting excludes political questions and comprehends those only where there are parties amenable to the process of the court. . . .

"Its [nullification's] general recognition would of itself, in a great measure, if not altogether, supersede the necessity of its exercise, by impressing on the movements of the government that moderation and justice so essential to harmony and peace, in a country of such vast extent and diversity of interests as ours; and would, if controversy should come, turn the resentment of the aggrieved from the system to those who had abused its powers (a point all important), and cause them to seek redress, *not in revolution or overthrow, but in reformation*. It is, in fact, properly understood, a *substitute*, where the *alternative would be force*, tending to prevent and, if that fails, to *correct peaceably* the aberrations to which all systems are liable, and which, if permitted to accumulate without correction, must finally end in a general catastrophe."

Of South Carolina's stand in 1832-3, one of her gallant sons, Colonel Preston, declared at the time that she had, like her own Jasper, caught up the fallen banner of states' rights and spread it to the breeze. Not a banner merely, we may add, but a flaming beacon held aloft to shine down through the years, a light from the early nineteenth century to lighten the South's, and America's, pathway in the twentieth, if they would have *progress with*

peace. To secure the true equilibrium in our complicated federative system (the only system compatible with justice and liberty for so vast a domain), popular initiative and referendum must be supplemented by and co-ordinated with federal initiative and referendum. Till this be done—force and right must continue to rule America's world; "force, till right is ready."*

*Nullification, or state veto and federal referendum, treated in bare outline in the course of the above discussion, is examined fully and in a blaze of historical illumination in the speeches and writings of Hayne, Calhoun, Bibb and Poindexter in those times of the Nullification crisis and the "Great Debates" of 1830 and 1833.

Undercurrents in Present English Politics

WILLIAM THOMAS LAPRADE

Assistant Professor of History in Trinity College

At least ten questions of prime significance are at present receiving attention in British political discussions and will come up in the near future for action of one sort or another at the hands of the British legislature. These questions, in the order in which they will be considered in this article, are, (1) the reform of the House of Lords, (2) Irish Home Rule, (3) the fiscal question, (4) national insurance, (5) the general franchise, (6) woman's suffrage, (7) the disestablishment of the church in Wales, (8) the settlement of labor disputes, (9) taxation of land values, and (10) naval and foreign policy. Each of these questions separates the people of the country into two or more camps, and in no case do these party divisions based on the questions of the day coincide with the lines that divide Unionists, Liberals, Nationalists, and Laborites from each other. The advocacy of Home Rule by the Nationalists constitutes, perhaps, the only exception to this statement. It is scarcely conceivable that any person should affiliate with the Irish party who is opposed to the cardinal plank in its platform.

As regards the reform of the House of Lords, the preamble to the Parliament Act promises that such a measure will be attempted. The character of the reform and the time when it ought to be undertaken are yet disputed subjects. Unionists say that the administration is breaking its promise by not dealing with the matter forthwith. The ministers deny that they ever proposed to carry out this promise until after they had first given their attention to Home Rule, Welsh disestablishment, and other long cherished items in the Liberal program that have been frustrated hitherto by the House of Lords. In support of this contention Liberals quote speeches made before the last general election by Lord Lansdowne and other prominent Unionist leaders in an effort to convince the people that the first act of Mr. Asquith's government after the passage of the Parliament Bill would be the introduction and passage of a bill granting home rule to Ireland. Furthermore, the ministers insist that the reformed second chamber, whatever may be its character, shall have no greater

powers than are retained by the House of Lords under the provisions of the Parliament Act. In the meantime, few members of any of the parties agree as to what ought to be the character of the reformed second chamber. The Unionist complaint at the delay of the administration is nothing more than a superficial partisan argument brought forward to serve the exigencies of a day, and neither party, when finally brought face to face with the problem, will probably be able to find a solution that will be generally satisfactory.

The Home Rule bill, or, to use a more precise term, the Government of Ireland Bill, has already passed its second reading in the House of Commons and is now in the committee stage. When Parliament reassembles in October it will doubtless be passed with but little delay. The terms of the bill are, in a measure, similar to and, in a measure, different from those of both of Gladstone's Home Rule bills. It suffices to say here that it gives a large measure of local self-government to Ireland, and that it has been approved by the Nationalist party in convention assembled. There is probably a minority in the Unionist party that would be glad, though they do not say it in so many words, to see this bill passed and the Irish question removed from English politics. The nature of the arguments the Unionists bring against the administration proposal is itself evidence of that fact. We no longer hear the dignified arguments pertaining to larger issues of imperial policy that were used against the bills of 1886 and 1893. Ulster, we are told, will fight, and, therefore, Ulster must have her way. Incidentally, it might be well to remember that when used in this connection the term "Ulster" does not signify one of the four provinces of Ireland but merely the two or three counties of that province that contain Belfast and its environs. The population of this small district is predominantly Protestant and industrial. The population of the remainder of Ireland is predominantly Catholic and agricultural. On these two facts hang all the grievances of Ulster. For Ulster undoubtedly conceives that she has a grievance and denies that the safeguards proposed in Mr. Asquith's bill will afford a sufficient remedy. Indeed the friends of Ulster deny that any provisions in any conceivable bill granting home rule to Ireland can possibly afford the protection that Ulster desires and has a right to expect. The difficulty is that the

defenders of Ulster seem to be entirely incapable of understanding that the Nationalists, who constitute four-fifths of the population of Ireland, conceive that they also have a grievance, and that in the past they have shown themselves quite as ready to fight as the Protestants of Ulster. Should it become necessary to act counter to the wishes of either one party or the other an English ministry might with good reason choose rather to offend a minority than to disappoint an overwhelming majority of the Irish population.

As to whether the inhabitants of Ulster will actually offer forcible resistance to a Home Rule bill no man can say. One naturally remembers that the same threats we hear now were substituted for arguments in the opposition to Catholic emancipation and to the disestablishment of the Irish church. Nevertheless, it cannot be denied that seventeenth century religious fanaticism survives in Ulster, perhaps to a larger extent than it does anywhere else in the British empire. And the present leaders of the Unionist party in England are unquestionably exerting themselves to fan the flames and to stir a revolt. Mr. Bonar Law himself said last summer at Blenheim, and repeated the statement later on the floor of the House of Commons, that the people of Ulster, under the present circumstances, could go no length in opposing Mr. Asquith's bill in which they would not be justified and in which he would not support them. Sir Edward Carson, another man high in the present councils of the Unionist party, has advertised that he will be among the first signers of a new version of the Solemn League and Covenant which is to be adopted and entered into by the faithful of Ulster in the latter part of September. The signers of this covenant will pledge themselves not to acknowledge a Dublin parliament, not to be bound by its laws, and not to pay taxes which it may impose. Furthermore, they openly propose, in case such a parliament is inaugurated, to set up an independent provisional government in Ulster.

Until time has proved the earnestness of this opposition speculation about it would serve no useful purpose. But the fact that Unionist leaders are resorting to such dangerous tactics in frantic efforts to stir the opposition to Home Rule in England is evidence that as far as the British electorate is concerned the Nationalists have won their fight. Mr. Garvin, the fiery editor of the *Pall*

Mall Gazette and the *Sunday Observer* and the most rabid of the alarmists, himself complains of the apathy with which the people receive his calls to arms. In addition to these Unionists, whose forced zeal almost compels us to doubt the genuineness of their professions, however, there are many people who are really convinced that a dissolution of the union of England and Ireland would be a bad imperial policy. The majority of such persons are, no doubt, affiliated with the Unionist party. But many who hold that view voted for Liberal candidates in the last general election because of their distrust of the proposed Unionist fiscal policy, as witness the results at recent Manchester by-elections. Nevertheless, it is likely that public sentiment concerning Home Rule more than any other of the questions of the day can be determined by the existing party groupings. This statement takes into full account the Unionist accusation that the present ministers do not really favor Home Rule but have "sold themselves to the Nationalists for place." Such a view is untenable, when we consider the history of the attitude of the Liberal party on the Irish question and the character of its present leaders both in and out of office, and needs no refutation.

Theoretically, the Unionist party continues to offer as its chief bid for support the proposal that Great Britain change her traditional fiscal policy and adopt a system of protective tariffs in one form or another. Between 1903 and 1909 this policy rapidly grew in popular favor; since that time it seems to have made little if any headway. There are many indications that the movement has already passed its zenith. In the last several elections Unionists have not gained a single seat which can be traced directly to that issue, whereas they have certainly lost a considerable number in which the hostility of the voters to protection was the determining factor. Moreover, in spite of the fact that the most aggressive and at present the controlling element in the Unionist party are rabid protectionists, a considerable section, and by no means the least respectable section, of the party has never been converted to that view. The truth is that the party is in the unenviable position of having committed itself to a program which it cannot advocate with success nor abandon with credit. Instead of the two or three "hard winters" which Mr. Chamberlain and his associates anticipated, if they did not hope

for them, British trade has continued to grow and British manufacturers to prosper. This fortunate condition of affairs has been exceedingly disappointing to the protectionists. Just what disposal the Unionist party will finally make of this, their chief positive issue, it is impossible to guess. Mr. Balfour's suggestion in 1910 that it be submitted to a referendum neither won the election that year nor appears to meet with the approval of the present Unionist leaders. "Tariff Reform," therefore, remains on the hands of the Unionists as a sort of political white elephant. Moreover, the most ardent advocates of the policy seem to have lost sight entirely of Mr. Chamberlain's doctrine of imperial preference and boldly propose that England inaugurate a system of protection for her manufacturers, omitting the inevitable food taxes which served to make Mr. Chamberlain's scheme so unpopular. But it is unlikely that a very large proportion of the rank and file of the Unionist party hold to this extreme view. A few doubtless still adhere to Mr. Chamberlain's original suggestion. A still larger number, perhaps, though free-traders at heart, believe additional tariff taxes to be inevitable as the only feasible relief from the existing income and other direct taxes. Practically all Liberals and Laborites and a further section of the Unionist party continue to be faithful disciples of Cobden. It is impossible under the existing circumstances to ascertain the views of the Irish Nationalists on this or any other public question except Home Rule.

In 1911 parliament passed an act providing for the compulsory insurance against sickness, under the auspices of the state, of every laboring man in Great Britain and Ireland with an annual wage of less than £160. The act also carries a provision for compulsory insurance against unemployment of the laborers in certain specified trades. The funds for the payment of these insurance benefits are to be derived from contributions by both employers and employees with a supplementary contribution from the state. The act has been in force since July 15 of the present year, though the most of the benefits will not begin to accrue till January, 1913. In the meantime both laborers and their employers are being taxed without present benefit to either. The result has been to make the act temporarily unpopular with the voters. Evidences of this unpopularity may be seen in the result of almost every by-election held since its passage.

We ought not to conclude, however, that the Unionists have adopted any consistent policy toward the question of national insurance or that they are yet clear in their own minds whether, if opportunity were given, they would repeal the present act or what modifications of it they would propose. The truth is that the campaign against the insurance act is, as a Unionist newspaper describes it, a species of "political small beer" in which Unionist politicians are just now indulging because, from the nature of the circumstances in the interim between the beginning of the payment of dues and the beginning of the receipt of benefits, this question alone of the expedients they have tried recently seems to win any considerable support from voters. When Mr. Lloyd George introduced his bill in parliament all parties acclaimed it as a desirable measure. Not till the natural disinclination of the British tax-payer to accept new burdens became sufficiently evident to convince Unionists that opposition to the bill would give them political advantage did they raise their voice against it. Even then they professed to agree with its principles and to dissent only from its details as worked out by the chancellor of the exchequer. For that reason the majority of Unionists merely refrained from voting when the measure was put on its final passage. While Mr. Bonar Law said in his haste soon after he became the titular leader of his party that he would repeal the act should he come into power, he found occasion later to amend his statement so as to make "repeal" read "modify". When asked last summer what modifications he would suggest, Mr. Law replied that he would have to await results of the experience of the government in working the act between now and the occasion of his coming into office before reaching any conclusion on that subject. Being interpreted, this statement means that the Unionist leader will trim his sails to suit the wind. Not even the most ardent supporter of the insurance act denies that parliament ought to remedy any defects in its detail which experience may reveal.

One aspect of the Unionist opposition to the insurance scheme, however, may have serious and far-reaching results. While the bill was pending the British Medical Association, speaking for the physicians of the kingdom, made six cardinal demands, which they insisted must be incorporated into the act before they would

agree to coöperate in putting it into effect. All of these demands were complied with except the one that required the sickness benefits to be restricted to laborers with a weekly wage of two pounds or less and the demand that the physicians be granted 8s. 6d. annually per capita for each person receiving attention under the provisions of the act. The act provides for a grant of 6s. annually per capita, which sum the British Medical Association refuses to accept. The government, under the terms of the act, obviously can make no concession with respect to the maximum wage limit of the laborers entitled to benefits. The result is that British laborers face a strike of the doctors for higher wages, and every species of professional pressure known to a powerful organization is being used to prevent physicians from making terms with the local insurance committees. The motive of the strike seems to be rather political than economic. Its leaders are the officers and most prominent members of the British Medical Association, the majority of whom from their connections are naturally Unionists and have little or no part in the contract practice that will be affected by the insurance act. The truth is that the act will probably operate to increase the incomes of those practitioners whose patients are chiefly insured laborers. The friendly societies are at present paying those physicians at the rate of from 2s. 6d. to 4s. per capita per annum for each patient treated. The insurance act provides for payment at the rate of 6s. per capita per annum. Indeed, in an effort to arrive at a satisfactory basis for a settlement with the doctors, the government last summer employed Sir William Plender, an expert accountant, to examine the books of all the physicians in four or five representative towns. He found that the doctors in those towns are now working for an average remuneration of from 4s. to 5s. per capita annually for the total population. It is obvious that the average of health among laboring men will be better than among the total population, including women and children. The doctors reply to this argument that when medical attention is provided free of cost there will be a tendency to call a physician on a more slight excuse than under the present arrangement. And thus the matter stands. In view of these facts, however, the ministers insist that 6s. per capita is all they can undertake to pay until experience has shown that it is too little. Just what the final outcome will be it

is difficult to forecast. Several schemes are being discussed, including the establishment of some sort of a national medical service. The friendly societies claim that they can take the 6s. per capita and provide their insured members with adequate medical attention, besides making a profit. As a final resort the 6s. per capita may have to be turned back into their treasuries, and thus the doctors, by the shortsightedness of some of their number, may lose an opportunity for establishing themselves on a much better and surer economic basis than they enjoy at present. It is only fair, however, to repeat that, if left to themselves, the rank and file of the profession would probably raise no difficulty in coöperating with the government in its undertaking to give the poorer members of the community more adequate medical attention than they have hitherto been able to command.

As regards the opinions of the leaders of the several political parties on the question of insurance, he would be rash indeed who undertook to state the views of any considerable group of Unionists. The Laborites would have preferred for the state to provide the total fund for the benefits by means of the ordinary forms of taxation. Naturally, a majority of Liberals are in favor of the measure as it stands; though many merely acquiesce in it without any enthusiasm, and some are frankly opposed to the whole proposition.

Several aspects of the franchise question are now pressing for consideration at the hands of the British legislature. As is well known, under the existing arrangement there are several conditions any of which may qualify an Englishman to vote. He may be a traditional forty-shilling freeholder, a copyholder, a lease holder, a householder, or a lodger. He may have had the right to vote from immemorial custom, or he may have derived it from any or all of the various reform bills, the most important of which are those of 1832, 1867, and 1885. A man might conceivably have almost any number of votes, and at least one or two men have several hundred if they chose to exercise their privileges at a general election. Moreover, the constituencies have not been reappointed since 1885, and the result is that some members of parliament now sit for a much larger proportion of the population than others. Then, too, the anomaly of university representation is still kept up, a practice for which there is little defence in modern

theories of representation. There is now a bill pending in the House of Commons which proposes to abolish university representation and plural voting and to grant to every man of sound mind over twenty-one years of age the right to cast one vote. This measure will make the suffrage requirements uniform and will enfranchise many persons who cannot now qualify, though they may be men of attainments and holders of large amounts of chattel property. Unionists, for the most part, oppose this bill, ostensibly because it does not carry the reapportionment provision which the ministers promise to bring forward as soon as the franchise bill is passed, but really because it proposes the abolition of university representation and plural voting.

One of the most troublesome aspects of the suffrage question is the campaign of the women for the ballot. Many prominent men in both parties are in favor of granting the suffrage to women on equal terms with men. Men of equal eminence in both parties oppose their colleagues in this view. Mr. Asquith himself, though strongly opposed to the measure, offers to incorporate in his franchise bill any amendment concerning the question which the House may agree upon. Had the suffragettes conducted themselves with a reasonable amount of moderation, there seemed a good chance that some compromise agreement might be adopted. But, after the window smashing in Oxford Street last winter and the constant nagging of the members of the cabinet, culminating in the hatchet throwing and the attempt to burn a crowded theater in Dublin last summer, it seems unlikely now that the movement for some time to come will regain the ground it has lost in consequence of this lawlessness.

Another aspect of the suffrage question which is beginning to excite considerable discussion, especially in view of the recent three cornered by-elections which have resulted in the return of members who obviously represent the sentiments of a minority of the voters, is the necessity for devising some workable scheme of proportional representation. This movement, however, has scarcely yet gone far enough to deserve further space in this summary.

One of the three government measures of prime importance now pending in parliament is the proposition to disestablish the Anglican church in Wales and to turn a portion of its endowment

into a public fund for educational and charitable purposes. The Welsh have long striven for this measure, which they regard as one of manifest justice. An overwhelming proportion of the Welsh people are members of the Protestant dissenting communions, and, therefore, see no reason why they should be called upon to support an organization in which they desire no part and with which they are out of sympathy. Furthermore, they contend that funds taken originally from Welsh sources for use among the Welsh people ought to be disposed of in a manner that will bring benefit to these people. It is proposed, however, to leave to the Anglican church £87,100 of its present annual income of £259,500 from endowments, and in the opinion of the Welsh dissenters this sum together with nearly £300,000 which the church has from other sources will leave far from poverty stricken an organization which it is estimated represents only one-fifth of the Welsh population. Naturally, this bill has aroused antagonism among the members of the Anglican clergy throughout the kingdom. Disestablishment has already come in Ireland. Should it come in Wales also, they argue, not unnaturally, that the position of the national church in England itself is that much less secure. And even though the justice of Welsh disestablishment be admitted, its opponents argue that to couple it with disendowment is an example of meanness unworthy of even the present government. The Welsh, themselves, on the other hand, deny the justice of permitting the disestablished church to continue to hold funds which were originally held as a national trust. There does not seem to be any middle ground for the compromise of this fundamental difference of opinion. But it would be a mistake to assume that the conservative instincts which cause the average Englishman to hesitate before lending his support to a departure of this kind follow any present party lines. Many Liberals look askance at Welsh disestablishment and only accept it as an inevitable accompaniment of other measures which they favor. On the other hand signs are not wanting that some of the more rabid young Unionists now taking the lead in the party councils are tiring somewhat of the close relationship which has hitherto existed between their party and the established church. It was openly suggested in some quarters, after the Bishops voted with the government in favor of the Parliament Bill in 1911, that a good excuse was

thereby furnished for the Unionist party to free itself from an alliance which it had carried as more or less of a burden for so long. To sum up, then, the present government is committed in favor of the disestablishment, and in part the disendowment, of the Anglican church in Wales. As to whether this policy is an asset or a liability in computing the standing of the administration in popular favor, no man can say with certainty.

Another question concerning which it is almost as difficult to collect the popular voice is the provision of means for the settlement of labor disputes. In England, as in almost every other industrial country, the cost of living has increased much more rapidly in the last few years than the wages of laborers. The natural result has been a series of strikes, some of them stupendous in extent. The coal miners' strike of last winter and the shipping and railway strikes of the summer of 1911 are conspicuous examples. While these strikes were widespread, and while there has been much loose talk of syndicalism, the true genius of the situation seems to have been the inability of the laborers to maintain their standards of living on the wages which they were receiving and under the conditions to which they were being subjected. A strike of the London dock laborers, which lasted through a large part of the past summer, served to keep the question before the public mind and led the ministers to announce that in their opinion steps will have to be taken in the near future to provide some means or machinery for the peaceable settlement of labor disputes. The present system imposes hardships not only on the strikers and their employers but on the general public as well. Moreover, both parties in recent disputes have developed the habit of calling in the government to act as mediator. The ministers have endeavored to play the part impartially with the result that they have succeeded in pleasing neither party. One of the factors in losing to the Liberals several recent by-elections was the dissatisfaction of the labor vote with the policy of the administration toward the strikers in labor disputes. The majority of people in all parties agree that something ought to be done; perhaps nobody is certain in his own mind exactly what. Opinions vary from those who hold the extreme *laissez faire* view to those who would have parliament specify minimum wages for every trade and occupation. Little has transpired as yet to indicate the character

of the promised proposal of the government. It is tolerably certain, however, that whatever this proposal may be, it will meet with many serious objections from both sides of the house.

Mr. Lloyd George has recently advertised that he will bring forward in the near future another measure which is likely to provoke as much heated discussion as any of those he has sponsored in the past. Since the passage of the budget of 1909 the process of determining the site value of the land in England has been steadily going on and is now nearing completion. The new proposition of the chancellor of the exchequer will probably involve an attempt to compel by taxation the landlords to let their unused lands for agricultural purposes. Schemes for improving rural housing and rural conditions generally are also in the air. Here, again, both parties recognize the existence of a grievance. Indeed the continual migration of the English agricultural tenants to the colonies compels attention to the subject. Therefore, when Mr. Lloyd George last summer, with the consent of his colleagues in the cabinet, appointed an informal commission to investigate conditions and secure information on which to base remedial measures, Lord Lansdowne, acting on the advice of Mr. Garvin, retorted shortly afterward with a proposition that the government encourage agricultural tenants by assisting them to purchase their holdings. This suggestion, however, will probably form no part of the Liberal policy. The supporters of the government argue that tenants care little about small holdings in their own right but are immensely interested in securing more favorable conditions of tenancy and better provisions for their comfort. As regards this question, again, as far as the discussion has proceeded, the differences of opinion seem to bear little relation to present party lines.

Finally, the stupendous task of keeping safely ahead of Germany in naval construction is productive of many differences of opinion, particularly within the Liberal party. There is an element of considerable strength in that party which joins the Laborites in contending that the necessity for this continually increasing expenditure on the navy grows out of the foreign policy of the government. They argue that instead of putting so much stress on the triple *entente* Great Britain ought rather to cultivate by every means possible the friendship of Germany. The

majority of Unionists, however, unite with the more imperialistic Liberals in support of the foreign administration of Mr. Asquith and Sir Edward Grey.

The strong coalition of parties at present in control of the British government would probably be able to reach some sort of agreement on any one of these questions taken singly. But the task of dealing with all of them, besides the other incidental troubles of administration, in the space of three or four years, might very probably dissipate a much larger majority and overthrow a government much more strongly entrenched in popular favor than the existing one. So far, however, it cannot be denied that Mr. Asquith and his colleagues, considered as Liberals, have dealt with these questions as they arose in a singularly conservative and statesmanlike spirit. Not even Gladstone's first administration succeeded in carrying out a larger proportion of its program before its fall. But that very administration of Gladstone's illustrates the chief danger that Mr. Asquith faces at present. Each far-reaching measure the administration has carried has naturally alienated some of its support. It is doubtful whether the party has made any corresponding gains in popular favor. Were Mr. Asquith's administration opposed by a strong party with sane and conservative leaders, there would be, perhaps, little doubt as to the outcome. The chief strength of the administration from this point on lies in the weakness of its opponents. Coupled with their ill-advised advocacy of protection, the present leaders of the Unionist party seem to have embarked upon a career of loose speech and violent appeals to lawless passion hitherto unexampled in the history of English political parties. However, there exists a rift between the Liberals and their Labor allies. The possibilities that may result if this division is not healed are seen in several recent by-elections. These resulted in sending Unionist members to the House of Commons by a plurality vote who might have been defeated had the Liberals and Laborites united in support of the same candidate, as they have been doing in the past two or three general elections. This condition, if continued, coupled with the natural loss of support on account of the far reaching measures now pending, may result disastrously to the administration even before the present parliament has lasted its allotted time. Otherwise there

seems to be no good reason why the Home Rule, the Welsh disestablishment, and the franchise bills may not become laws in spite of any action of the House of Lords. But, even though this program should be carried forward successfully, enough has been said to show that Great Britain is today passing through a period of unusual social ferment and that it would not be a surprising thing should a new party adjustment begin to take place in a not very distant future.

Poems of Occasions by Plato Tracy Durham

ALBERT M. WEBB

Professor of Romance Languages in Trinity College

In recent years there have appeared from the pen of a talented North Carolinian, Plato Tracy Durham, several poems that have expressed with noteworthy form and sincere emotion sentiments inspired by occasions of particular significance. Though many readers are familiar with the poems that have appeared at intervals in local publications, it seems worth while to give to a wider public an opportunity to appreciate the quality of Mr. Durham's work. It would be out of place to go into any critical appraisal of the merits or defects of a number of poems so limited that they constitute but the beginning of a promising output. But a word of introduction may not be amiss.

The son of Mr. Plato Durham, a North Carolinian prominent in the history of Reconstruction days, Plato T. Durham was born in Shelby, N. C., September 10, 1873. He prepared for college at the Horner School and entered Trinity College, Durham, N. C., where he graduated in 1895. He studied at the Yale Divinity School during the year 1896-1897 and at Union Theological Seminary the two years following. In 1899 he was elected Professor of Biblical Literature and Church History at Trinity College, Durham. Mr. Durham occupied this chair until 1905 with the exception of a year abroad at Oxford University. In his teaching he was at his best in guiding ministerial students to a personal individual solution of the problems of religious thought raised for men of a conservative environment by the contact with college work. He brought to this task a broad education, genuine sympathy for young men passing through this crucial period of development, and skilful tact in interpreting to them the thought of master minds. In the summer of 1905 Mr. Durham went to Charlotte as pastor of the Tryon Street Church and later of Trinity Church in that city. He became an occasional contributor to the *Charlotte Observer*. On the death of Mr. John Charles McNeil of that paper Mr. Durham was asked to write an appreciation of the young poet. This attracted much attention, and, soon after, Mr. Durham was led to accept a place on the *Observer's* staff. But in 1907 he was sent as pastor

to Concord where he remained until 1911. He was then made presiding elder of the Winston District of the Methodist Episcopal Church, South. It was after his connection with newspaper work that Mr. Durham began to publish occasional verse. Writing for the *Observer* before him, Mr. Avery had known how to pick out of the life about him phases of human interest and treat of them in articles of genuine sentiment. Mr. McNeil had followed with his poems. Mr. Durham has carried on in his verse this tradition inherited from these two friends whose work he had sympathetically followed.

"The Bells of Trinity" is the first poem chosen for quotation. The sunset bell at Trinity has long been one of the associations marking the life of the place. Passing his *alma mater* one evening the poet recalls his college years and gives expression to those notes of warning, encouragement, and consolation that are the deeper lessons of college life. Lines from this poem were engraved on the new college bell hung in place of the old one destroyed by fire. And, when, on July 22, 1911, this bell was dedicated and christened "Marse Jack" in honor of Bishop John C. Kilgo, former president of Trinity, Mr. Durham was asked to read this poem at the dedication:

When weary on the storm-swept hills
I hush the climber's challenge song,
And love the dreamy light that fills,
The lotus-blooming vales of Wrong,
A warning song rings out to me—
The deep, stern bells of Trinity.

When bleeding on the battlefield
Where Right's uplifting banners go,
My coward soul would cry, "I yield,"
And bend before the ancient foe,
A bugle song enheartens me—
The clear, brave bells of Trinity.

When standing where the bravest die
And scorning Falsehood's hissing whips,
I dare to own my soul and cry
The Truth, e'en though with bleeding lips,
A song of triumph rings to me—
The proud, free bells of Trinity.

When kneeling desolate and lone
Within the ancient garden dim,
I pay the price to them unknown

Who have not dared to watch with Him,
A benediction breathes to me—
The sweet, grave bells of Trinity.

When far my pathway lies along
The moorland of the after years,
When life sings low her evening song
And all the west a glory wears,
Then ring your vesper song to me,
O sunset bells of Trinity.

Since the Spanish-American war the South has come to feel that it has become in fact and in sentiment a part of the nation. It would honor its heroes along with those who fought on the other side. The debate in the senate over the statue to be erected to Lee in Washington came as a shock to many, marked, as it was, by bitter opposition from certain senators. The "Dream of Lee and Lincoln" was published in reply to this opposition. It appeared in the *Outlook* and elsewhere as the expression of the true feeling of the South.

The years have wrought their miracle: America is one;
The dream of Lee and Lincoln, out of light and shadow spun,
Has come to long fulfillment and their shining task is done.

Our dead are not forgotten; we keep vigil o'er their dust,
We sing their deeds in deathless song and hold their fame a trust
Till Time, the final judge, shall write a judgment that is just.

But America, our mother of the sorrow-chastened soul,
Has called and we are coming from the years of bitter dole,
"Forgiving and forgiven" writ across the darkened scroll.

And to her field of battle where the light and night oppose,
Where wrong and right are marshaling their lines of ancient foes,
We follow where America's out-streaming banner goes.

And marching to the star-sown flag this song of war we sing:
"The sword of Lee to battle for America we bring,
And Jackson's rankers answer where her far-blown bugles ring.

And when upon that battlefield the victory is thine,
When high above the death of Wrong thy blazoned stars shall shine,
Look thou for us, America, along the foremost line."

A few days after the death of Charles Brantley Aycock, North Carolina's "educational governor", was published the poem dedicated to him. Governor Aycock had made his chief political issue the rousing of the state to the improvement of its educational system. He earned the lasting gratitude of his fellow citizens by

this educational campaign that has been followed by such notable progress. Mr. Durham has well rendered this sentiment of lasting gratitude in his "North Carolina to Charles Brantley Aycock":

Come rest within my mother-arms, my son;
The night has come; the day's long work is done:
So nobly done that I shall stand to keep
An endless vigil o'er thy mortal sleep.

For thou didst know my need, my bitter dole;
Didst catch the vision of my greater soul,
And all the love of thy brave spirit give
To make that shining prophet-vision live.

For me thy soul was as a banner flung;
A morning bugle was thy golden tongue,
Whose ringing challenge to the reign of Night
Led on my Dawn's embattled hosts of light.

So long as my own sovereign name is known,
As shines my star upon the flag star-sown,
Thy name shall live a deathless memory,
An heir to thine own immortality.

When marble monument and brazen bust
Shall crumble back again to formless dust
Thy name, deep-graved in love's unfailing art,
Shall still be written on my children's heart.

In "Three Workers", now for the first time published, we have a reflection of the poet's years of teaching at Trinity. The poem is an outgrowth of the experience of those years and an expression of their ideal. Closely connected in the source of its inspiration with "The Bells of Trinity", it goes beyond the bounds of occasional verse, and in it the writer treats in poetical form a philosophical theme of wide appeal:

Three ministers, so deeply one in heart,
Though far in creed as star from star apart,
Sat talking of their work, its joy and tears,
The sower, seed, and golden harvest years.
In some dim way the old debate began,
As old as are the aching tears of man.
One's face was peaceful as those waters are
That lie defended by the haven's bar,
For so his heart was sheltered by a creed
From which the broken waves of doubt recede.
He spoke as one in whom no questions cry,

Ne storm disturbs the soul's serenity.

"Beware; for falsehood's evil roots around
The frail and tender stem of truth are wound,
To pluck the one would be the other's doom
And man must live by its unfading bloom;
Toil thou within the garden of the Lord
And love with tears the roses of His word;
For slowly will the weed of falsehood sear
And rose of truth a deeper beauty wear.
Wait thou on God; with Him the wisdom lies
To guard the roses of His paradise."

One's eyes were stormful as those waters are
That battle with the wind beyond the bar.
" 'Twere sin in me to heed thy noble fear;
When will the evil weed of falsehood sear
If our own bleeding fingers do not tear
The noisome roots away and cleanse the air
Of all its feculent and loathed breath
And guard His roses from its kiss of death?
I cannot hush this sovereign voice in me
The voice that cries forever: 'Dare be free;
For I, thy soul, alone am sovereign here,
My deep displeasure only shalt thou fear.
His shining thread of truth, in sorrow spun,
Through which His stains of blood's deep crimson run,
They shall not weave again in error's veil
Through which the lights of nobler vision fail.'
Forever rings in me this sovereign cry:
'Where He has died for truth go thou and die.'
And I shall go. Look through the window there;
Hast ever seen God's quiet world more fair?
How sweet the coolness of the tender grass
O'er which the wings of vagrant shadows pass;
See where the petals of the roses fall
From vines that sleep upon the cloister wall;
How sweet and holy all the lights that fill
This quiet place, how beautiful and still.
'Twere sweet to live and die forgotten here
To speak God's peace above His children's fear;
'Tis hard to leave for aye this holy peace
This cloistral haven where life's strivings cease.
'Tis not for me: for me the hills of pain
Whose paths of night the tears of ages stain;
Oh hills of storm and fearful majesty,
I am thy child; I come at last to thee."

The third had eyes that ever seemed to see
Through earth's deep haze some far eternity;
Above the night the morning's prophet gray;
The far finale of life's passion-play.
He spoke in tears of strange sweet tenderness
That fell like balm upon their deep distress:
"To one God whispers: 'Stay and guard the light
Your fathers followed through the starless night.'
To one: 'Go forth where never man has trod
And find new oil to feed the lamp of God.'
Will understand? Three workers God doth need
To build as ages pass the final creed:
One bends in adoration at the shrine
O'er which the lights of ancient faith outshine;
One wanders homeless restless pioneer
Far out along the storm-scarred hills of fear,
And kneels at last o'ermarked with many scars
At Bethel's stone beneath beloved stars.
The third upbuilds above the lonely stone
Where knelt the bleeding wanderer alone
A temple new wherein a whiter flame
Is burning ever to the Ancient Name.
At last as God's far centuries onroll
Above the temple door is cut this scroll:
'Three saints of God are named and honored here,
Saint Everfaithful and Saint Pioneer
And he who built this temple, stone on stone,
In whose great heart the other two were one,
Who healed their vision of its passion-blur
And made them brothers, Saint Interpreter.'"

A silence fell. Did one hear the sound of wings
Or was it but the bell that slowly swings
At sunset? Clear the message of the bell:
"God watches o'er His workers: all is well."

BOOK REVIEWS

THE LIFE AND SPEECHES OF CHARLES BRANTLEY AYCOCK. By R. D. W. Connor and Clarence Poe (Garden City) New York. Doubleday Page and Company, 1912,—xvi, 369 pp.

Before every biographer lie two tasks; one is to describe in detail the subject as influencing, and, as influenced by, the events and movements of his generation; the other is to leave in the reader's mind a well-rounded conception of a living personality. As would naturally be expected of a work written within a few months after the death of Governor Aycock this study is stronger in the latter than in the former of these qualities. However, it is well that this is so; for the personality of a great man is far more easily lost to posterity than his ideas or his influence. Of many North Carolinians we have abundant evidence relating to their political fortunes and their effectiveness in shaping the life of their day and time; of few do we have a definite impression of those qualities of mind and soul that gave life to the written or printed word. This emphasis on personality will be especially valuable in estimating the place of Governor Aycock in the history of North Carolina; for it was his great heart, full of love and generosity for all men and all good causes, that gave him power among his people. Indeed the personal affection and confidence he inspired are matched in the history of the state only by Vance; and Aycock's popularity was doubtless more widespread, though not so deep rooted, as that of Vance.

In such a delicate interpretation the authors have been exceedingly fortunate. Eulogy has been avoided by a strict reliance on the actual,—events and experiences in the life of Governor Aycock being given as large a place as the testimonials of friends. Thus by a process of visualization the reader forms a definite impression of Aycock the man; and no one can lay aside the book without feeling that here was one of those rare souls who are dominated throughout life by a spirit of helpfulness, a deep sense of moral obligation in all public affairs, and an instinctive valuation of the manhood in man above all other human relationships. Running through the book also is an inference that these high qualities in Governor Aycock were the personification of certain

underlying factors in the social structure of North Carolina; industry, thrift, simplicity, courage, neighborliness, respect for the law, religion—these characteristics of the community in which he was raised suggest many phases of his character; and that community multiplied a sufficient number of times becomes North Carolina. Thus the biography, written without any conscious display of state pride, presents an example of the kind of character that has grown and will continue to develop on North Carolina soil.

The political career of Governor Aycock was no less notable than his character. It was he more than anyone that gave a sense of moral obligation to the campaign for the suffrage amendment of 1900, an obligation to give all the people a chance to be educated, and after the victory it was also he who kept the Democratic party from becoming conquered by its victory, and identified it with the progressive movement of the last decade, viz an increasing of the facilities for public instruction. This phase of his work is well brought out in the "Life and Speeches"; but there are a number of questions, some of them suggested, that the authors do not touch. Among these are the attitude of Aycock toward the cleavage that came in his party with the rise of the Populist movement; certainly he remained within the party lines, but where were his sympathies during the economic movement and changes of the early nineties of the last century? What was his feeling toward the proposed fusion of the Democratic and Populist forces in 1896? Again, reference is made to the revolution in local government under the fusionist administration, but the reader of the rising generation who was too young to have been active in the politics of those years must turn elsewhere for an explanation of the local government issue. Also during his term as governor there were one or two problems that are hardly elaborated sufficiently. It would have been well to have traced the agitation for prohibition of the liquor traffic before discussing the Watts law. Then, too, the process by which reform was made in the penal system might have been dwelt on, as well as the means by which corporations were made to contribute more largely to the revenues of the state. In fact the reader must feel that while the educational and the railroad problems are well presented, certain other issues are somewhat neglected. These criticisms how-

ever do not detract from the real merits of the book; the omissions were for the most part natural, for time has not yet rounded out a full perspective of Governor Aycock's career and influence; many of the events and movements in which he participated are too recent to be understood completely. The style of the book is good; considering it as the work of two authors, it possesses a unity and continuity that are remarkable.

W. K. BOYD

THE ORIGIN OF THE ENGLISH CONSTITUTION. By George Burton Adams.
New Haven: Yale University Press, 1912,—xiii, 378 pp.

In this book, a large part of which has been previously published in the form of articles in the *American Historical Review* and the *English Historical Review*, the author tells us that he has undertaken to "point out the feudal origin of the English Constitution in its most distinctive features, and especially of the limited monarchy, and to show that the function which the Great Charter actually performed in the formation of the Constitution was to effect the transmission of the fundamental principle of feudalism into the fundamental principle of the modern Constitution." But Professor Adams has given a very narrow significance to the term "English Constitution". He uses the expression to signify merely "those devices by which an absolutism, once existing in fact, can be retained in form and theory while the real government of the state is transformed into a democratic republic." In other words, Professor Adams is seeking the origin of the conception of a limited monarchy that has been realized in the English constitution. He finds none of the elements of that idea in existence in the period previous to the Norman Conquest. Indeed, Professor Adams seems inclined to lay greater stress on the Conquest as a factor in English constitutional development than do most recent historians.

The thesis of the book, stated in the language of the author, is that the English constitution, conceived in the narrow fashion indicated above, "rests wholly upon foundations that were laid in the feudal age; that the distinctive features which made the English a constitution of a new type in the political history of the world came in the germ from feudal arrangements and were de-

veloped under the influence of the principles derived from feudal law." The author believes that it would have been impossible for the notion, whose beginnings he is seeking to determine, to originate in the non-feudal state of Saxon times. He contends that this notion had its origin in the feudal conception of laws to which even the king had to submit though he might in a sense be said at the same time to be above the law. This principle, Professor Adams believes, was falling rapidly into disfavor in England as elsewhere when the Great Charter gave it a new lease of life. Moreover, he makes much of the sixty-first chapter of the Charter, which he regards as "the first step ever taken in history towards what we know as a limited monarchy." The argument is that this "clumsy arrangement" was the beginning of the evolution of political institutions which has ultimately resulted in making the king merely the mouthpiece for expressing the will of parliament, the lineal successor of the old great council.

Although one is inclined to disagree with some of his conclusions, Professor Adams's book, nevertheless, makes interesting reading and is an admirable exposition of the peculiar genius of the English constitution. It is questionable, however, whether it was wise to leave entirely out of account certain features of the mediæval local government. And some of the author's distinctions as to "political" and "economic" feudalism probably had no such clear existence in the social life of mediæval England as he would have us infer from his theories. Indeed, one feels on reading the book that its chief faults result from the inclination of its author to regard feudalism and the English constitution itself as theoretical principles rather than as facts actually existing in the past and present social life of England.

WILLIAM THOMAS LAPRADE

HEREDITY IN RELATION TO EUGENICS. By Charles Benedict Davenport. 175 illustrations and diagrams. New York: Henry Holt and Company, 1911,—xi, 298 pp. \$2.00 net.

This book is an authoritative statement of the scope and purpose of the young science of eugenics, as well as a complete and well systematized compilation of the facts upon which this science is based. It is not easy reading, for technical terms still abound, and, although based upon rather well known biological law,

much of this law is unfamiliar to many otherwise well-informed persons; also much of the data is presented in diagram which, though greatly shortening and clarifying exposition, still lessens the attraction of the book for the average reader. On the other hand there has been brought together here a vast amount of statistical matter such as could have been gathered only by such a well organized and supported agency as the Eugenics Record Office. Furthermore, this material has been digested, and, so far as possible at this time, laws have been formulated and the eugenics teaching deduced by a master as well as pioneer in this line of investigation.

It is a strange reflection on human intelligence that, whereas, for years the established practice among plant and animal breeders has been that only the best should reproduce, among men, the inefficient, the diseased, and the criminal have been permitted to pour without hindrance their poisoned protoplasm into the precious stream of life. This the eugenist would avoid, and by proper matings purge the race of many defects and diseases, and, where this is impossible, prevent reproduction entirely.

Without going too far into details, the potency of an evil strain is exemplified in the famous Jukes family, whose record is a dreary catalogue of harlotry, vagrancy, pauperism and criminality of every kind without one single case of worthy manhood or womanhood to redeem it, costing the "state of New York over a million and a quarter of dollars in 75 years up to 1877, and their protoplasm has been multiplied and dispersed during the subsequent 34 years and is still marching on." On the other hand there are the descendants of Jonathan Edwards of whom much has been written, but they are too numerous to mention here. Briefly: "These constitute a glorious galaxy of America's great educators, students, and moral leaders of the Republic."

In this brief review it is impossible to go into the methods of inheritance, but typecases taken from the family records gathered by the Eugenics Office are presented for most of the diseases, defects, and otherwise peculiar traits of the human race, showing how they behave in heredity. Matings are suggested in many cases through which defects and diseases are wiped out, and in others desirable traits emphasized and transmitted. A new solu-

tion of the problem of emigration is presented which seems to be both wise and practical.

In this day of conservation of natural resources, surely the preservation of the purity of the germ plasm of the race is of first importance. As a contribution to this end "Heredity in Relation to Eugenics" is one of the important books of the year.

JAS. J. WOLFE

THE NEW HISTORY; ESSAYS ILLUSTRATING THE MODERN HISTORICAL OUTLOOK. By James Harvey Robinson. The Macmillan Company: New York, 1912,—vi, 266 pp.

This collection of essays, the first of which lends title to the volume, is by an author of distinctive literary tastes who has found his subject matter in history. Two themes dominate his work. One is the correction of certain misconceptions that are frequently found in our more conventional and popular histories. Such an aim runs through the discussion entitled the "Fall of Rome;" certain political conditions and events in the Roman Empire during the latter part of the fourth, and the early part of the fifth, century are outlined in the light of modern research and with a proper sense of perspective. Likewise, the essay on "The Principles of 1789" advances a plausible explanation of the origin of the political ideas embodied in the French Declaration of the Rights of Man. Each may be read with benefit by the novice in historical investigation and by that class of people vaguely known as the "general reader".

The second theme, running through the remaining essays, is an arraignment of the conventional historian and his work. To borrow the terminology of politics, Professor Robinson is an "insurgent", an uncompromising "progressive" in the field of history. He feels that historians have neglected to give us a sufficient knowledge of both our immediate antecedents, and of that remote past when our ancestors had no clothes and used four feet to meet the very human problems of the present. The old line historians, according to the indictment, have also been singularly obtuse in failing to make use of the information and the methods discovered by other sciences which are devoted to the study of man. Moreover, the historian has too often been a conservative; a defender of, or an apologist for, the past. In contrast to the

limited outlook of the older historian stands the "New History". Its aim must be to reveal the past so extensively, so correctly, and so concisely that present day problems, which of course arise out of past conditions, may be met with a degree of confidence as great as in making a safe financial investment. "The present has heretofore been the willing victim of the past; the time has now come when it should turn on the past and exploit it in the interest of advance." To obtain such golden results the New History will make use of the new sciences of anthropology, social psychology, animal psychology, and comparative religion, to say nothing of a continued use of economics. The new biography of mankind will be written by the progressive, the social reformer, who will secure from history a "Godlike appreciation of the world in which we live, and a Godlike insight into the evils which mankind now suffers, as well as the most promising methods for alleviating them," . . . because those methods will be based upon a "perfect comprehension of existing conditions founded upon a perfect knowledge of the past."

Many of Professor Robinson's ideas are suggestive. Historians have in the past been rather slack in investigating the causes and events that contribute to the conditions of their own time. But there is much improvement in this respect, if the activities in the study of American history may be regarded as typical. Moreover historians in the past have not been indifferent toward the methods and results of studies in other fields. True it is that Mommsen was not *au courant* with the best thought on the origin of races; but think with what avidity the mediæval historian utilized the new theology of that time for historical purposes and how extensively economics and political science have influenced the historians in more recent times. Indeed, many feel that the historian has been too prone to go off after strange gods. If there is anything in the new sciences that may help in the understanding of the development of man's life in the ages of which written records exist, the historian will be sure to use it. In the meantime Professor Robinson would have done well to have given a few illustrations of how anthropology, social and animal psychology, paleontology, and comparative religion might aid in the writing of the story of the last decade of American history.

One definite aspect of the New History is outlined in the essay, "History for the Common Man". It will make the development of man's industrial life the central theme, with side chapters on what he has thought, and will leave out of account wars, battles and useless incidents. Such a programme suggested for history in the industrial school is recommended not only for special needs, but for "breadth of view, moral and intellectual perspective, and enthusiasm for progress". Certainly we are reminded that a genius like Mæterlinck, if he could get his material from the sources untrammelled by the works of historians, would eliminate from the story of man *Ægospotami*, the siege of Numantia, the crimes of Nero, the wives of Henry VIII., the battles of the Thirty Years War, and give his entire attention to "what men knew of the world, or what they believed to be their duty, or what they made with their hands, or the nature of their buildings." Such an overemphasis on things abstract, and the evolution of a few lines of endeavor to the exclusion of striking events, would not only make the pages of history too heavy for youthful minds; it would rob history of those great objective events around which memory can group the formative influences and tendencies. It would also rob "progress" of much laboratory material that might be used in showing the evils of war, the need of eugenics and the reality of social psychology.

On the whole, while the New History has many worthy aims, its danger lies in being too narrow; in valuing all historical information by its present uses. Similar pleas have been made and are being made concerning all knowledge by some educators, and the answers in either case are similar. But the New History, according to Professor Robinson, takes little account of institutional development or of purely political history. Considering these facts, the New History, if it has really come into being, may be as narrow as the history it pretends to supplant.

WILLIAM K. BOYD

WATERWAYS VERSUS RAILWAYS. By Harold G. Moulton. Boston and New York: Houghton Mifflin Company, 1912,—xviii, 468 pp. \$2.00 net.

A very timely book in the series of Hart, Schaffner, and Marx prize essays in economics is Harold G. Moulton's "Waterways

versus Railways." The volume, which is illustrated with many charts and maps, contains an extended and well written discussion of the comparative advantages of waterways and railways under modern transportation conditions. It covers the transportation systems of the United States, Great Britain, Germany, France, Holland, and Belgium. There is a detailed investigation of the Erie Canal, the Ohio River, and the Lakes-to-Gulf waterway projects in this country. The last of the three receives especially destructive criticism. While Mr. Moulton's study is necessarily statistical in many parts, it is not so technical as to interfere with profitable reading by the layman as well as by the trained economist.

This valuable investigation must be reckoned with by the advocates of large expenditures for internal waterways in the United States. Such advocates have frequently dwelt upon the success of European waterways, and have found in them an argument for larger American enterprises of this nature. However, Mr. Moulton maintains that European waterways have not been as successful as commonly believed in this country. He finds that there has been a tendency to a decline in the amount of traffic carried by water, and that the activity of the waterways has frequently been the result of arbitrary and marked discrimination by governments in rates on the waterways as compared with traffic by railroad. When everything is considered, Mr. Moulton thinks the railroads furnish a cheaper means of transportation. His work is enlightening and convincing. W. H. G.

HERALDS OF AMERICAN LITERATURE. By Annie Russell Marble. Chicago: University of Chicago Press, 1907,—383 pp.

In the "Heralds of American Literature" we have a contribution of an unusual character to the vast amount of writings concerning our literature. The leading authors of the nation have received their due notice from our scholars. Very early writers such as John Smith have received more than their share. But, owing to the fact that literary men were eclipsed by men of action, the writers during the Revolution and the years closely following that struggle have been too slightly treated. Inspirers of others, prophets of a new day, forerunners of a great national literature, they have been unduly neglected and forgotten.

Mrs. Marble's book is an attempt to place these neglected pioneers of our literature in their proper light. She has done her work successfully. The book is well-written, clear, and attractive. She has studied painstakingly the records of those early days and has written a clear and readable account of the times and their chief men. Of especial interest is her discussion of John Trumbull and his political satires. The Hartford Wits and Freneau also receive their due share of attention. The general plan of the book is an account of the most important facts about these less noticed men, and a general resumé of their works with citations enough to give some idea of their nature and contents. This is a valuable volume in a field in which the late Moses Coit Tyler did pioneer work.

H. E. SPENCE

LEE THE AMERICAN. By Gamaliel Bradford, Jr. Illustrated. Boston and New York: Houghton Mifflin Company, 1912,—xiii, 324 pp. \$2.50 net.

GENERAL W. T. SHERMAN AS COLLEGE PRESIDENT. A collection of letters, documents, and other material, chiefly from private sources, relating to the life and activities of General William Tecumseh Sherman, to the early years of Louisiana State University, and to the stirring conditions existing in the South on the eve of the Civil War; 1859-1861. Collected and edited by Walter L. Fleming. Illustrated. Cleveland, Ohio: The Arthur H. Clark Company, 1912,—399 pp. \$5.00 net.

Through the courtesy of Mr. Bradford and Professor Fleming, the *SOUTH ATLANTIC QUARTERLY* has been privileged to publish in advance portions of both of these important books. Of Mr. Bradford's book several chapters have appeared as articles in recent issues and have given our readers opportunity to appreciate the fine quality of his work. We do not know of any more readable study of General Lee, nor of one more searching in methods and fair in temper. The publishers have given the volume the added merit of excellence in paper and printing. There are many appropriate illustrations.

In connection with Mr. Bradford's description on page 168 of the scene of Lee's surrender of his army to Grant, it is interesting to read a corroborative personal account given by Grant in an interview related on page 61 of the recently published letters and diaries of Moses Coit Tyler (Doubleday, Page and Company).

President Grant, Vice-President Colfax, and Professor Tyler had the following conversation:

V-P.: "Well, General, how did Lee behave?"

Pres.: "He behaved well, but I felt very much embarrassed."

M. C. T.: "Why, Mr. President, should you have felt embarrassed? I can imagine you must have had great emotion, but I cannot see why you should have felt embarrassment."

Pres.: "There wasn't any reason for it, but I did feel embarrassed. Lee behaved very well. He was dignified, quiet, and gentlemanly. He seemed very much downcast. If he hadn't behaved so well I should not have felt embarrassed. Now, when Pemberton surrendered to me at Vicksburg I didn't feel embarrassed a bit."

V-P.: "Why not, General?"

Pres.: "Oh, he took on so. He acted as if I might have surrendered to him."

While it is widely known that General Lee served as a college president after the Civil War, fewer persons are aware that just before the outbreak of the War General Sherman of the Union army served as first superintendent of the Louisiana State Seminary (afterward called Louisiana State University). His position was a quasi-military one in the service of the state of Louisiana, both as commandant of the state military college and superintendent of an arsenal established in connection with the institution. Professor Fleming has carried out an expressed intention of General Sherman by collecting the letters and papers of this period of his life. Sherman himself thought that these papers would "give a far better understanding of the private thoughts and feelings of the men who afterward bore conspicuous parts in the Civil War than any naked narrative."

Those who have known Sherman only as the determined opponent of the South, in command of a devastating army, will find in these papers much new light on his real feelings and convictions. In his opinions on slavery he was no extremist. While he regretted the evils due to slavery and wished the institution had never existed, he did not desire to abolish or modify it. In planning to bring his family to Louisiana, he regarded as inevitable the buying of negroes as servants. Just after leaving Louisiana in 1861 he wrote: "In politics I do not think I change with coun-

try. On the negro question I am satisfied there is and was no cause for a severance of the old Union, but will go further and say that I believe the practice of slavery in the South is the mildest and best regulated system of slavery in the world, now or heretofore. But as there is an incongruity in black and white labor, I do think in the new territories the line of separation should be drawn before rather than after settlement."

While Sherman's views on slavery were much more moderate than those of his family and friends in the North, he was at one with them in unwavering loyalty to the Union. In January, 1861, he wrote to Governor Moore: "If Louisiana withdraw from the Federal Union, I prefer to maintain my allegiance to the constitution as long as a fragment of it survives and my longer stay here would be wrong in every sense of the word. . . . I beg you to take immediate steps to relieve me as superintendent, the moment the state determines to secede, for on no earthly account will I do any act or think any thought hostile to or in defiance of the old government of the United States." Sherman left Louisiana with the respect and good wishes of the faculty and governing board of the State Seminary. He had filled his position with distinction and success, and under other circumstances might have brought his family to the state and settled there for his life work.

Professor Fleming has furnished these letters and papers with needed footnotes and explanatory matter. The publishers have issued the work in a limited edition printed in Caslon type on hand-made paper. It makes a handsome volume, and one whose pages are full of interest.

W. H. G.

THE MAN FARTHEST DOWN. A Record of Observation and Study in Europe. By Booker T. Washington. With the collaboration of Robert E. Park. New York: Doubleday, Page and Company, 1912,—390 pp. \$1.50 net.

An interesting volume is Booker T. Washington's last book "The Man Farthest Down". The author made a two months trip to Europe for the purpose of studying the conditions of the working classes in the countries from which the majority of immigrants come to the United States. He desired to learn why it was that these European people were leaving the places of their birth, and

seeking their fortunes among strangers in a distant part of the world. In the course of his trip, the negro educator visited England, Scotland, Italy, Hungary, Poland, Denmark, and other parts of Europe. It was in the south-eastern part of Europe that he found humanity at its lowest ebb, but even there he contends that the hope of betterment is present. In Sicily he found problems similiar to those that the negroes have faced in the southern states. But the lot of the negro seems to him much better than that of the poor Sicilian farmer. As the result of his study of European conditions, he says: "Even if they had the choice, I do not believe, for instance, that the Southern people, black or white, would be willing to exchange their own troubles, such as they are, with those of any other nation or group of people in Europe or elsewhere."

A HISTORY OF THE PRESIDENT'S CABINET. (University of Michigan Historical Studies) By Mary L. Hinsdale. Ann Arbor, Michigan: Geo. Wahr, 1911,—ix, 355 pp.

In her study of the President's Cabinet, Dr. Mary L. Hinsdale has first devoted an introductory chapter to the origin of the Cabinet. She then takes up the study of the Cabinet under each presidential administration, including lists of the Cabinet officers under the various presidents with their terms of office. Following this study by administrations are chapters on "Principles of Cabinet Making", "The Cabinet and Congress", and "The Cabinet and the President". An extensive bibliography of works used in her investigation is appended. There is also a full index.

Miss Hinsdale concludes that there is a tendency in writers on political science to speak more disparagingly of the Cabinet's claims to be consulted in executive matters than actual practice justifies. "The President is not obliged to consult the Cabinet; but he is expected to consult it. Public opinion cannot compel him to do so on specific subjects, because it is not sufficiently well informed of current happenings." The Cabinet "is not a main-spring or a pivot; but it has shown itself to be an essential attachment. It is so adjusted that the American Executive is plural in deliberation, while it is single in responsibility."

Miss Hinsdale's book will prove especially useful as a work of reference for students in American history and political science.

From it many desired points of information can be obtained more quickly than elsewhere. It is unfortunate, however, that the work is marred by occasional typographical errors. For instance, in President Taft's Cabinet Secretary MacVeagh has his name spelled MacVeigh in the Cabinet list on page 277. In the same Cabinet list Secretary Nagel's name is spelled correctly, but in the text a few pages later his name is spelled Nagle. Such errors in the case of a recent Cabinet make one fearful that others might be found if the earlier Cabinet lists were subjected to careful verification.

FIFTY YEARS OF PRISON SERVICE. An Autobiography. By Zebulon Reed Brockway. Illustrated. New York: Charities Publication Committee, 1912,—xiii, 437 pp.

The Elmira Reformatory in New York State has been one of the leading penal institutions devoted to the reform of criminals and to their preparation to take definite and useful places in society at the expiration of their terms of imprisonment. The history of this institution is closely bound up with the life career of its first superintendent, Zebulon R. Brockway. This pioneer and veteran in reformatory work has now given to the public his autobiography under the title "Fifty Years of Prison Service". To all who are interested in the application of scientific methods to the treatment and reform of criminals, this work will be of the highest interest and importance.

Those who are familiar with the attacks made on Mr. Brockway's administration at Elmira will feel an especial pleasure in the fact that an ultimate vindication of his work was secured. Today the great importance of his services to the modern prison reformatory movement is generally recognized, and many of the methods inaugurated at Elmira have been adopted at other institutions throughout the country. Mr. Brockway's volume is a valuable human document, and was well worth publication by the Russell Sage Foundation.

Notes and News

In "The Hamlet Problem and Its Solution" by Mr. Emerson Venable (Stewart, Kidd and Co., Cincinnati), another attempt has been made to pluck out the heart of Hamlet's mystery. Mr. Venable selects five representative theories that have been proposed for resolving the central dramatic problem in Shakespeare's great tragedy of the soul. These he discusses and refutes; and then sets forth his own solution: That Hamlet's subjective conflict represents the profoundest and subtlest of all struggles—the conflict forever waging in the human soul between the personal and the impersonal motives of life, a conflict not between clearly defined wrong and clearly defined right but rather between two rights, the one relative and the other absolute. The main body of the volume is taken up with expounding and illustrating this proposition. The book is well written and is a suggestive essay in interpretative criticism.

The nomination by the Republican party of Mr. Job E. Hedges for the governorship in New York will direct attention to his recently published volume entitled "Common Sense in Politics". This work was issued by Moffat, Yard and Company of New York. The book is the result of a long experience in practical politics, and Mr. Hedges has much to say that is valuable and illuminating on such subjects as the press, political corruption, reform and reformers, parties, bosses, and patronage. A reading of these chapters will give one an impression that Mr. Hedges is a man of intellectual power and outlook far above the level of the ordinary office-seeker.

Mr. Edward Stanwood has just written "A History of the Presidency from 1897 to 1909". This continuation of Mr. Stanwood's well-known work covers the three presidential campaigns of 1900, 1904, and 1908. It includes a comprehensive notice of the important political events of the whole period, whether they did or did not have a perceptible influence upon the result of the general election. Attention is also given to the evolution of the powers of the presidential office. Mr. Stanwood has endeavored

throughout to avoid offensive partisanship in his expression of views. This supplementary work will at once take a place as an important contribution to the political history of recent times. It is published by the Houghton Mifflin Company at \$1.75 net.

Doubleday, Page, and Company have recently published Mary Austin's latest novel entitled "The Woman of Genius". This tells the life story of a woman who had it in her to be a great actress, and who was drawn irresistibly to her profession despite the havoc that was wrought in the ordinary relations of her life. The story exhibits striking contrasts of strength and weakness in human character. The same publishers have also issued another novel, "Mrs. Ames", by E. F. Benson. This is a picture of middle class English society. It is full of likable people to whose doings Mr. Benson gives a charming quality of naturalness.

An interesting biographical work of the past year is Professor William E. Dodd's volume on "Statesmen of the Old South". The three statesmen whose life and public services he considers are Thomas Jefferson, John C. Calhoun, and Jefferson Davis. Jefferson he portrays as the opponent of the "interests" and champion of the masses of the people; Calhoun is represented as forsaking the democratic ideals of Jefferson and becoming the champion of the money interests of the South; Jefferson Davis is portrayed as the defender of special privilege devoted entirely to the defense of property rights in slaves. Professor Dodd likes to compare the struggle against the "interests" in ante-bellum days with present-day warfare against monopoly and privilege. In Mr. Dodd's view Jefferson Davis was the Senator Aldrich or the Secretary Knox of his day. The volume is published by the Macmillan Company.

Dr. James Finch Royster of the University of North Carolina has published as one of the Studies in Philology of that University "A Middle English Treatise on the Ten Commandments". Dr. Royster has supplied an introduction and footnotes to this interesting work of the fifteenth century.





